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Cooperation between the United Nations and the Organization for Security and Cooperation in Europe

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Report of the Secretary-General

I. Introduction

1. On 19 December 2000, the General Assembly adopted resolution 55/179, entitled "Cooperation between the United Nations and the Organization for Security and Cooperation in Europe". By that resolution, the Assembly acknowledged the increasing contribution of the Organization for Security and Cooperation in Europe (OSCE) to the establishment and maintenance of international peace and security in its region through activities in early warning and preventive diplomacy, including through the activities of the High Commissioner on National Minorities, crisis management and post-conflict rehabilitation, as well as arms control and disarmament. In the resolution, the General Assembly requested the Secretary-General to continue exploring with the Chairman-in-Office and the Secretary-General of OSCE possibilities for further enhancement of cooperation, information exchange and coordination between the United Nations and OSCE. The Assembly also requested the Secretary-General to submit a report on the implementation of the resolution to it at its fifty-sixth session. The present report is submitted pursuant to that request.

II. Consultations and exchanges of information

2. During the past year, a number of meetings took place between officials of the United Nations and OSCE. In addition to my meetings with the Chairman-in-Office and the Secretary-General of OSCE, of particular note was the participation by the Deputy Secretary-General in the meeting of the Ministerial Council of OSCE held in Vienna in November 2000; attendance by the Secretary-General of OSCE at the fourth High-level Meeting with heads of regional organizations which I convened in February 2001 on the subject of "Cooperation for peace-building"; and participation in the annual high-level tripartite meeting of the United Nations, OSCE and the Council of Europe, held in Vienna in February 2001 under the chairmanship of the Secretary-General of OSCE, in accordance with the principle of annual rotation. The subject of this year's session was good governance.

3. The United Nations and OSCE have continued to practice a division of labour based on the comparative

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advantages of the two organizations, with the United Nations retaining the lead in efforts in Abkhazia, Georgia and in Tajikistan, while OSCE has the lead in the Republic of Moldova, South Ossetia, Georgia, and in the resolution of the conflict in and around the Nagorny-Karabakh region of Azerbaijan. Specific efforts have also been made to improve consultation and cooperation in the field and between the respective headquarters. These steps have resulted in enhanced coordination with the aim of making better use of the resources of the international community in the interests of the countries being assisted.

III. Information received from the United Nations system and others

A. United Nations Secretariat

1. Department of Peacekeeping Operations

(a) United Nations Observer Mission in Georgia

4. The Organization for Security and Cooperation in Europe has actively supported the United Nations in its pursuit of a comprehensive settlement of the conflict in Abkhazia, Georgia, and has participated in multifaceted efforts undertaken within the framework of the United Nations-led Geneva peace process. In the field, both organizations continue to cooperate very closely within the framework of the activities carried out by the United Nations Human Rights Office in Abkhazia, Georgia, as envisaged in the memorandum of understanding of 29 April 1997. The Office facilitated the realization of human rights projects financed by the OSCE mission to Georgia and implemented with the participation of international and local non-governmental organizations, such as the Association of Women of Abkhazia and the Gagra Youth Centre. The joint assessment mission undertaken to the Gali district in November 2000, the aim of which was to assess the conditions relevant to the safe, secure and dignified return and reintegration of refugees and internally displaced persons, is another example of fruitful cooperation on the ground. The report of that mission included, inter alia, a recommendation that a branch office of the Human Rights Office be set up in Gali.

(b) United Nations Mission in Bosnia and Herzegovina

5. The United Nations agencies and programmes operating in Bosnia and Herzegovina have continued to cooperate with OSCE in various fields. The United Nations Mission in Bosnia and Herzegovina (UNMIBH) has supported OSCE in its election-related activities and worked closely with OSCE to ensure security during elections, implement election results, vet ministers of the interior and justice and remove obstructionist politicians. There has also been cooperation on the implementation of property legislation and a sharing of information on police misconduct and human rights violations, as well as on return-related incidents. In addition, UNMIBH and OSCE have jointly monitored particularly sensitive and significant criminal trials, such as those involving war crimes and allegations of police misconduct by senior law enforcement officials.

(c) United Nations Interim Administration Mission in Kosovo

6. Cooperation between the United Nations and OSCE permeates every level of the United Nations Interim Administration Mission in Kosovo (UNMIK). At the central level, the Head of OSCE, as the Deputy Special Representative for Institution-Building, attends the daily UNMIK Executive Committee meetings and is a member of the Interim Administrative and Kosovo Transitional Councils. OSCE is also part of the UNMIK Joint Planning Group, which prioritizes the Mission's objectives and harmonizes work by means of inter-pillar working groups. The OSCE field structure is in daily contact with UNMIK civil administration through both the Regional and Municipal Administrators in all matters relating to institution-building. At the regional level, a weekly meeting of the Executive Committee, which includes representatives from the three UNMIK pillars, the Office of the United Nations High Commissioner for Refugees (UNHCR), UNMIK Police and International Security Force in Kosovo (KFOR), reviews developments and exchanges views on important issues and coordinates efforts of the various players.

7. UNMIK civil administration and OSCE work especially closely on electoral matters. The successful holding of municipal elections in October 2000 was a result of close United Nations-OSCE interaction. The Joint Registration Task Force, which provided an

opportunity to jointly plan resources and execute civil and voter registration, combined the polling expertise of OSCE and the administrative knowledge of UNMIK civil administration. Following the elections, UNMIK civil administration and OSCE, together with KFOR, set up a local help desk to advise the municipalities on issues pertaining to the implementation of the election results. After the October 2000 elections, the Department of Local Administration set up a Transition Task Force, comprising representatives of both UNMIK Civil Administration and OSCE, to oversee and support the consolidation of local institutions for self-government. While UNMIK civil administration continues to be responsible for implementing the regulation on self-government of municipalities, this remains closely linked with the implementation of the electoral law formulated by OSCE. In preparation for the Kosovo-wide elections to be held on 17 November 2001, UNMIK Civil Administration and OSCE have decided that civil and voter registration should occur concomitantly. OSCE will use the UNMIK Civil Registry to compile the voter registry, and the two organizations are jointly considering sites to be used for future voter services activities.

8. Cooperation has also extended into political capacity-building and the training of municipal officials. The University of Pristina, the Department of Education and Science and OSCE have established an Institute for Civil Administration at the University of Pristina to train professional civil servants. Immediately after the 2000 elections, the Institute provided various capacity-building and training programmes to both political parties and local civil administration. It also launched a series of training activities for personnel of the Joint Interim Administrative Structure. The OSCE's Joint Interim Administrative Structure Department of Democratic Governance and Civil Society, among other tasks, advises on applications for registration of political parties and on the drafting of related UNMIK regulations.

9. Close interface between the two organizations continues on the Victim Recovery and Identification Commission. OSCE has also supported UNMIK Civil Administration in the establishment of the Housing and Property Directorate and related regulations, as well as the Housing and Property Claims Commission. Through various monitoring reports, OSCE provides valuable input to the improved functioning of those bodies. OSCE closely monitors property rights violations and has focused on the issue of property vis-à-vis returns and the need to establish an effective system to address property rights disputes and access to reconstruction assistance. In addition, OSCE cooperates with UNHCR on the drafting of legal remedies to control the sale of minority property.

10. Interaction in the judicial field has been particularly strong. The Department of Justice and OSCE have collaborated in the implementation of the six-month judicial review, the monitoring of judicial proceedings, particularly in sensitive cases of an ethnic nature, and in the drafting of related UNMIK regulations. The Department of Education and Science is working closely with the OSCE-supported Kosovo Law Centre to modernize the Law Faculty at the University of Pristina. OSCE has played a fundamental role in establishing the Kosovo Law Centre and the Kosovo Judicial Institute, which train judges and prosecutors, including on issues pertaining to domestic violence and trafficking. Various joint working groups deal with issues relating to the functioning of the courts. OSCE has also been instrumental in the establishment of the Kosovo Police Service School. While UNMIK Police are responsible for recruitment and deployment of Kosovo Police Service officers, OSCE is responsible for their basic training. There is an UNMIK Police liaison officer stationed at the OSCE mission headquarters.

11. OSCE works with UNHCR to assess, monitor and propose solutions to the problems of minorities through the co-chaired Task Force on Minorities. The Joint Committee on Returns, which includes representatives from the United Nations UNHCR and OSCE, are exploring means to ensure the safe and sustainable return of Kosovo Serbs and other minority communities in a coordinated and systematic manner. The two pillars have also worked to develop the course content for a seminar on human rights for members of the Communities Committee of the Municipal Assemblies.

2. Office for the Coordination of Humanitarian Affairs

12. The Office for the Coordination of Humanitarian Affairs and OSCE have extensive contacts in Georgia, where they exchange information regularly on peace, security, humanitarian and developmental issues with respect to Abkhazia, South Ossetia and Samtskhe-

Javakheti. In the Russian Federation, the Office cooperates with OSCE by sharing information on the humanitarian situation in the northern Caucasus during quarterly meetings held outside the Russian Federation. The OSCE also cooperates with the humanitarian community in the former Yugoslav Republic of Macedonia in monitoring the situation at the northern and western borders and in the areas affected by the ongoing conflict, in assessing the needs of the affected population and in sharing relevant information. A representative of OSCE is always present at inter-agency meetings to report to the rest of the humanitarian community on the outcome of the OSCE monitoring missions in the country.

13. The Fribourg Forum underlined the need for closer cooperation among the United Nations, European regional organizations and their member States to minimize duplication of initiatives and overlapping of responsibilities among key actors in humanitarian action. In this spirit, several meetings were held, at the executive level, between the Office for the Coordination of Humanitarian Affairs and OSCE for improving the effectiveness and coherence of policies impacting on decision-making and delivery of emergency humanitarian assistance in situations of crises where both organizations are present.

B. United Nations Office at Geneva

14. Regular bilateral contacts are maintained between the Director-General of the United Nations Office at Geneva and the Secretary-General of OSCE, who exchange visits to Vienna and Geneva at least once a year and more often, as required. The Director-General has been invited to address the Permanent Council in Vienna on matters pertaining to the role of the United Nations in promoting security in Europe. In turn, the Director-General has invited OSCE to participate in activities of the informal research and training network, which includes the United Nations institutes based in Geneva and Turin. The United Nations Office at Geneva has been invited by OSCE to participate in its annual meeting of Heads of Mission.

C. Office of the United Nations High Commissioner for Human Rights

15. The Office of the United Nations High Commissioner for Human Rights (OHCHR) maintains close working relations with OSCE on a number of issues. One of the main concerns has been the development of a regional strategy against trafficking in human beings. OHCHR works with OSCE, as well as with the Council of Europe and other organizations in the Gender Task Force and the Trafficking Task Force of the Stability Pact for South-Eastern Europe. Objectives of cooperation include the development of a common regional approach and the promotion of relevant legal frameworks to prevent trafficking and provide protection to victims. Joint meetings and seminars are held in the region on a regular basis.

16. The Special Rapporteur of the United Nations Commission on Human Rights on the promotion and protection of the right to freedom of opinion and expression attended a round table discussion in Berlin in November 2000 on the protection of journalists in conflict zones hosted by the Minister for Foreign Affairs of Germany and the OSCE Representative on Freedom of the Media, Mr. Freimut Duve. The Special Rapporteur also met with Mr. Duve and the Special Rapporteur on Freedom of Expression of the Organization of American States, Mr. Santiago Cantón, later that month in London, in the context of an international seminar on promoting freedom of expression. A joint statement was adopted which focused on two issues of concern, namely, attacks on journalists and defamation law. The three mandate holders also agreed on a joint statement on racism and the media, which was issued on 1 March 2001 as part of the preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

17. OHCHR has participated in a number of human dimension meetings organized by the OSCE Office for Democratic Institutions and Human Rights, including a conference on election processes held in Warsaw in May 2001. Members of the High Commissioner's office also attended a meeting of the OSCE Group on Equal Opportunities for Women and Men, held in Vienna in June 2001, which focused on the issue of violence against women and ways to achieve better cooperation.

18. Inter-agency consultations on developments in Chechnya, Russian Federation, have taken place on a regular basis among OSCE, the Council of Europe, OHCHR and other organizations. OHCHR has also coordinated closely with OSCE field missions in Europe and Central Asia. In the Federal Republic of Yugoslavia, consultations have taken place in Belgrade between the two office's field missions on issues such as training, legal reform, and the establishment of a national human rights institution. In Kosovo, OHCHR works closely with the OSCE field presence, including as part of the Human Rights Training Coordination Group. The Office also seeks to coordinate its country activities with OSCE missions elsewhere in the region, including, for example, in the southern Caucasus, in order to maximize impact and avoid duplication. In Georgia, OHCHR and OSCE continue to operate jointly the Human Rights Office in Abkhazia, which is part of the United Nations Observer Mission in Georgia.

19. OSCE took an active role in events leading up to the World Conference against Racism, including by participating in an expert seminar for central and eastern European countries, held in Warsaw in July 2000, and the European Conference Against Racism at the Council of Europe, held in Strasbourg in October 2000. The Office of the OSCE High Commissioner for National Minorities took part in the meeting of the United Nations Working Group on Minorities held in Geneva in May 2001, and plans were made at that time for the High Commissioner's office to contribute to a publication on regional coordination in follow-up to the World Conference against Racism.

D. United Nations Office for Drug Control and Crime Prevention

20. The United Nations Office for Drug Control and Crime Prevention and OSCE cooperate closely in addressing the issues of security in Europe, including in the countries of the Commonwealth of Independent States (CIS). Most of their interactive joint efforts fell within the ambit of the United Nations Convention against Transnational Organized Crime and protocols thereto, which deal with significant security issues in Europe. The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components, and Ammunition represents a noticeable development for OSCE, and the Office has been active in briefing OSCE committees and officials on this matter both formally and informally. The movements of migrants, refugees and the illicit traffic in human beings are other important issues for OSCE. The Office also participated in OSCE conferences and provided briefings on legal developments.

21. Through its Global Programme against Trafficking in Human Beings the United Nations Office for Drug Control and Crime Prevention cooperated with the Stability Pact for South-Eastern Europe, Task Force on Trafficking in Human Beings. The Task Force, chaired by the OSCE Office for Democratic Institutions and Human Rights, is a cooperation mechanism for different organizations working in the field of trafficking, carrying out activities in the areas of awareness raising, training, law enforcement cooperation, victim protection programmes, reintegration assistance, legislative reform and prevention. The Global Programme supports the task force through information supply, particularly on the Protocol against Trafficking in Persons, which supplements the Convention against Transnational Organized Crime, and through data exchanges on trafficking.

22. The United Nations Office for Drug Control and Crime Prevention participated in the Information-Sharing Meeting on Central Asia convened in Vienna in 2000 by OSCE and also attended by representatives of several other United Nations and international organizations, international financial institutions, and bilateral assistance agencies. It reported on its main activities in Central Asia involving the countering of drugs and crime threat from Afghanistan. Venues for further cooperation between the Office and OSCE were also discussed. The Office and OSCE jointly organized, in October 2000 in Tashkent (Uzbekistan), an International Conference entitled "Enhancing security and stability in Central Asia: an integrated approach to counter drugs, organized crime and terrorism". At the Conference, all Central Asian countries endorsed a Declaration and the Priorities for Cooperation to Counter Drugs, Organized Crime and Terrorism in Central Asia which, inter alia, outlined directions for further cooperation between the United Nations Office for Drug Control and Crime Prevention and OSCE.

23. The United Nations Office for Drug Control and Crime Prevention was represented at the Eighth Ministerial Council of OSCE in November 2000, which addressed such issues as children in armed conflict

areas, trafficking in human beings and drugs, agreement on small arms and efforts to promote media freedom. Recognizing drug trafficking as a threat to regional stability and security, OSCE includes this issue on the agenda of its high-level meetings.

24. Concerning specifically the Balkan region, although no formal or informal cooperative initiative has taken place, both organizations share a similar objective with respect to improving stability in the region. For example the Office's efforts to strengthen the civilian policing and customs efforts in drug control and law enforcement contribute to stability in the region. In this context, improved intelligence systems and cross border and regional cooperation are important steps in the building of solid relationships in view of such stability.

E. Economic Commission for Europe

25. Since the eighth OSCE Economic Forum, which was held in Prague in April 2000, the Economic Commission for Europe (ECE) has continued its efforts towards building fruitful and results-oriented cooperation with the economic dimension of OSCE. Such cooperation is long-standing and logical, given the similarities that exist between both organizations and the fact that each offers its members a framework for cooperation and dialogue and share virtually the same membership. In recent years, this relationship has grown closer because of renewed challenges in a number of regions and the need to prevent at all costs the recurrence of conflicts that have plagued South-East Europe in particular, and that still pose threats to security.

26. ECE was active in all three preparatory seminars for the ninth OSCE Economic Forum on transparency and good governance in economic matters, which was held in Prague in May 2001. The first seminar, held in Almaty, Kazakhstan, concentrated on global, regional and national instruments in promoting transparency and good governance. ECE presented a paper in which the need for implementation and enforcement of the existing international conventions and national legal conventions was emphasized. The seminar held in Brussels elaborated on the concept of good governance and on its relevance for the functioning of both public and private sectors in the context of globalization. ECE presented a paper on that topic and acted as rapporteur for a working group. The third seminar, held in Bucharest, focused on the interplay between various actors in promoting good governance and transparency. ECE presented a paper on corruption and acted as the moderator of one of the working groups. At the ninth OSCE Economic Forum, the ECE Executive Secretary presented the ECE discussion document which reviewed the implementation by OSCE States of commitments made in the economic dimension. ECE also presented a paper on instruments to promote good governance and transparency, using the case of the Aarhus Convention. At these events, ECE worked closely with the OSCE Chairperson in Office and the Coordinator of OSCE economic and environmental activities, and has also cooperated with OSCE local missions, particularly in the area of environment. The recent participation by ECE in the training of OSCE field officers in Vienna and has helped to further develop ties and such cooperation will focus on organizing and designing activities to develop institutions and capacities for compliance of its conventions.

27. Currently, under the auspices of the Romanian Chairman-in-Office, there is an ongoing discussion on the strengthening of the economic dimension. ECE will cooperate in this process and has made a number of offers. The first is to hold a joint seminar with OSCE on strengthening the economic dimension to be held in Switzerland in the autumn. The second is a training programme for government officials on conflict prevention, using multidimensional approaches. In addition, ECE has offered to assist OSCE in reviewing its economic commitments in the light of the changes that have taken place since the OSCE last adopted a substantive set of commitments at the Bonn Conference of 1990.

F. United Nations Development Programme

28. In Tajikistan, United Nations Development Programme (UNDP)-OSCE collaborative efforts contributed to promoting peace and democracy. In 1999, UNDP and OSCE jointly organized three major events in support of the electoral process in Tajikistan, which created the foundation upon which international agencies working in the area of human rights, electoral reform and democratization would base their activities. In 2000, OSCE implemented the UNDP project on support to the civic education process, which was

successful in promoting equal and free representation of civic society in the political process. In addition, UNDP and OSCE were involved in promoting gender issues through close collaboration in the UNDP/Women in Development Bureau project.

29. In Kyrgyzstan, UNDP joint efforts with the OHCHR and OSCE resulted in the participation of representatives from civil society and non-governmental organizations jointly with the Government's Working Group in the formulation of a national law on Ombudsman. UNDP actively participated in a round table organized by the Kyrgyz Parliament and OSCE to discuss the draft law on ombudsman. It is expected that this cooperation will be continued once the law has been passed. In early 2000, the UNDP-supported Gender in Development Bureau, jointly with OSCE and other key donors, established the Gender Coordination Group to address a broad range of issues related to women's rights and their socio-economic advancement. Thanks to this cooperation, an international conference, entitled "Women of Kyrgyzstan at the edge of centuries" was convened. In March 2001, United Nations/UNDP-OSCE cooperation in southern Kyrgyzstan resulted in the establishment of the Information Sharing and Consultation South Group. Its major goal is to bring together organizations working at the policy level (OSCE, International Crisis Group) and the grass-roots level (UNDP, non-governmental organization Foundation for Tolerance International) to exchange information on such important issues as ethnic relationships, potential political violence, border and land issues, social infrastructure, landmines and the general security situation in southern Kyrgyzstan and neighbouring countries.

30. In Uzbekistan, UNDP and OSCE cooperated in supporting the Ombudsman's Office, with OSCE providing training for staff of the Tashkent and regional offices, building on earlier UNDP interventions. UNDP and OSCE also provided training in human rights monitoring and reporting for representatives of national human rights institutions and civil society representatives.

31. The UNDP Office in Kosovo, in close collaboration with OSCE, which is responsible for institution-building and media development, UNMIK, the Government of Japan and the United Nations Office for Project Services jointly developed a Media and Public Information Capacity Development Programme which was implemented in May 2000 with a total budget of US$ 14.5 million donated by the Government of Japan. Through the project, local journalists were trained in production and public information service delivery to prepare them for the October 2000 municipal elections. A radio and television terrestrial transmittal system was also established.

32. The UNDP office in Latvia has had a particularly close and strategic relationship with the resident OSCE mission, which has intensified recently. The OSCE High Commissioner on National Minorities has helped UNDP to mobilize resources by writing personally to prime ministers and foreign ministers to request support for the UNDP programme for Latvian language training. Some joint press conferences and donor meetings on the subject have also taken place. In relation to the Social Integration Programme, in which UNDP is playing a leading role, two OSCE proposed projects have been formulated under the UNDP umbrella. UNDP and OSCE have been working together more recently on a joint mission of experts to advise the Latvian Government and Parliament on institutional and legal measures to strengthen the national regime for human rights and the handling of complaints. The report was submitted to the State President and Government in early June 2001 and formed the basis for a national conference organized by the President's Chancellery on Ombudsman and human rights institutions.

33. In Ukraine, the ongoing cooperation between UNDP, other United Nations agencies and OSCE continued in dealing with the resettlement of the some 260,000 formerly deported peoples, which has presented a considerable challenge for the social and economic development of the Autonomous Republic of the Crimea. To further strengthen conflict prevention and promote social cohesion, OSCE, together with UNDP, UNHCR and the Government of Ukraine initiated a donor appeal process which culminated in the International Donors Conference on Humanitarian and Development Dimensions of Population Integration in Crimea which took place on 6 December 2000 in Ukraine. The meeting provided participants with a good impression of the importance of the humanitarian and development problems of resettlement of formerly deported peoples, the progress made by Ukrainian and international partners in this venture, and the considerable needs that still exist in

order to reach the final goal of assuring a quality of life for the returnees, at least equal to that of other citizens in Crimea and Ukraine.

G. United Nations Environment Programme

34. Although the United Nations Environment Programme (UNEP) has not set up a formal framework for cooperation with OSCE, collaboration has increased substantially in recent years, particularly through the UNEP Regional Office for Europe and the UNEP Balkans Unit. In addition, the UNEP Regional Office for Europe participated in several OSCE meetings, including the OSCE Aral Sea Conferences in Tashkent and Prague. In October 2000, the Regional Office made a presentation on UNEP activities to OSCE field officers in Vienna.

H. Office of the United Nations High Commissioner for Refugees

35. Over the last few years UNHCR interface with the OSCE has developed into a comprehensive strategic partnership, focusing on the prevention of mass displacement, the recognition of the critical linkage between displacement and security and the need to address the human dimension of conflict resolution processes. Regular meetings and consultations between UNHCR and OSCE counterparts continue at all levels. UNHCR staff members are at the service of OSCE bodies and institutions in Vienna to facilitate effective information flow and support to cooperative endeavours. Participation at meetings, seminars and conferences has also been strengthened. UNHCR appreciated the recent initiative of the Chairman-in-Office to invite UNHCR to participate in major field visits (southern Caucasus and Central Asia), and is fully supportive of any opportunity to participate in OSCE regional and subregional events and to strengthen interaction at the field level.

36. In Eastern Europe and Central Asia (CIS region), the process of the CIS Conference, now retitled "the follow-up to the 1996 Geneva Conference on the Problems of Refugees, Displaced Persons, Migration and Asylum Issues", continues to provide a platform for cooperation on the ground by mainstreaming relevant activities into country operations, on the basis of a thematic approach to priority areas adopted at the fifth session of the Steering Group (July 2000), and a further developed joint work plan involving UNHCR, OSCE, the International Organization for Migration (IOM) and the Council of Europe.

37. Contacts in the framework of the Minsk Group (conflict over the Nagorny-Karabakh region of Azerbaijan), including through the Office of the Personal Representative of the Chairperson-in-Office based in Tbilisi, and regular consultations on issues related to addressing the needs of displaced population and refugees have intensified over a period of time. UNHCR supports confidence-building measures and does contingency planning on human dimension issues in the case of political settlement of the conflict.

38. Implementing decisions of the Istanbul Summit, OSCE offices in Yerevan (Armenia) and Baku (Azerbaijan) have become operational in the course of 2000. Although concrete modalities of cooperation between the two organizations in these countries are still in the making, there is already a clearer understanding of the planned content of such partnership, in addition to a general agreement to maintain regular contacts on a wide range of topics. In Armenia, UNHCR and OSCE complement each other's activities in such fields as human rights, statelessness, non-governmental organizations and the building of civil society, internal population displacement, democratization processes, and media development. There are also ongoing discussions on a joint research project on the *propiska* issues, with a certain emphasis on refugees. In Azerbaijan, the possibility of cooperation on issues related to the full implementation of the national citizenship law of 1998 and the non-governmental organization law adopted in July 2000 is now being considered. In addition, a preliminary agreement has been reached to jointly review the situation of internal displacement from the viewpoint of human rights (e.g. freedom of movement, participation in elections, privatization).

39. In Georgia, the Joint Control Commission, in which UNHCR is a partner, brings together representatives of the Government of Georgia, South Ossetia, the Russian Federation and North Ossetia-Alania to promote solutions and build confidence among the parties. UNHCR participated in a joint United Nations-OSCE mission to the Gali District of Abkhazia, Georgia (see para. 4 above). Concerning Chechen refugees in Pankisi Gorge (Georgia), UNHCR

appreciates the role of OSCE in helping to reduce tensions through border monitoring, while UNHCR addresses protection and assistance issues in the valley.

40. UNHCR maintains a close working relationship with the OSCE mission in Moldova, the prime actor involved in mediation of the conflict. Several joint missions have been undertaken, with the aim of exploring the possibility of linking UNHCR projects with OSCE mediation efforts. UNHCR enjoys support from the OSCE mission in gaining access to the Transdniestrian region in the Republic of Moldova. Close cooperation also has developed between UNHCR and the OSCE High Commissioner on National Minorities.

41. In the Russian Federation, most contacts with the OSCE Assistance Group for Chechnya are focused on information-sharing and purposes of future cooperation in the north Caucasus.

42. UNHCR enjoys continued cooperation with the OSCE/High Commissioner on National Minorities within the framework of inter-agency support to integrate formerly deported peoples returning to Crimea, Ukraine. A donor Conference for the formerly deported peoples of Crimea was organized by the OSCE/High Commissioner on National Minorities in close collaboration with UNHCR, UNDP and IOM in December 2000. UNHCR offices in the five countries of Central Asia enjoy close cooperation with their OSCE counterparts, with regular discussions and exchanges of views. Periodic seminars are jointly financed by the two agencies on human rights and refugee law in the Central Asian countries. In Kazakhstan, UNHCR and OSCE agreed to organize some joint initiatives in the fields of legislative reforms, strengthening of civil society and potentially in the training of civil servants. Cooperation in Kyrgyzstan includes the sharing of information on political developments and some joint projects such as the annual summer course on human rights. In Tajikistan, following the hand-over by UNHCR of reintegration activities, the OSCE, in close coordination with UNHCR, is engaged in the monitoring of returnees' human rights. In Turkmenistan, the collaboration extends to cooperative initiatives to promote refugee law. A particularly delicate human rights situation in Uzbekistan tends to take priority over refugee issues on the OSCE or Government agenda. UNHCR-OSCE cooperation is thus limited, though mutual support is extended whenever needed (e.g., in areas concerning migration, the *propiska* system and training of judiciary, prosecutors and advocates on international human rights standards, etc.).

43. In South-Eastern Europe, UNHCR participates in the OSCE-chaired Friends of Albania initiative. There is also close coordination and cooperation between UNHCR and OSCE through participation in coordinating groups in Bosnia set up under the umbrella of the Human Rights Steering Board. At the field level, UNHCR protection and field officers are cooperating and coordinating with OSCE human rights officers through existing working groups such as the Human Rights Working Group, Property Commissions and Refugee Return Task Forces.

44. In Croatia, among international organizations, OSCE is the main player on political issues, while UNHCR is the lead humanitarian agency. Cooperation takes place at all levels, both in the field and centrally in Zagreb, with regard to the return of refugees and internally displaced persons.

45. UNHCR-OSCE cooperation in Kosovo covers a range of issues related to the protection of minority communities. Both organizations continue to participate in the Ad Hoc Task Force on Minorities, currently under joint chairing arrangements. There is continued collaboration on the production of joint assessment reports on the situation of ethnic minorities in Kosovo (the seventh report was issued in March 2001), stabilization of minority communities, fostering conditions conducive to the safe return of minority internally displaced persons, implementation of the UNHCR Platform of Action for the Return of Roma, Ashkalija and Egyptian communities to Kosovo. UNHCR-OSCE cooperation has also been extended to property rights, gender-related issues, rule of law and judiciary and returns and trafficking in human beings.

46. In the former Yugoslav Republic of Macedonia, UNHCR works closely with the OSCE mission in monitoring the situation in the villages in border areas, interacting with the Government on the issues of confidence-building in the areas affected by armed conflict, information-sharing on refugee and minority issues through regular meetings, capacity-building for local Roma non-governmental organizations, (including round tables, seminars and workshops) and media training seminars aimed at developing the

standard of journalism and at raising awareness of refugee-associated issues.

47. With the opening of the OSCE mission office in the Federal Republic of Yugoslavia, contacts between the two organizations received a new impetus for building complementary activities to support the integration and improve the treatment of Albanian minority communities in southern Serbia, legal reform impacting on asylum seekers and refugees, training activities on human rights and asylum issues, and promotion of conditions for the return of displaced and refugee populations to Kosovo, Bosnia and Herzegovina and Croatia, especially in the area of property rights.

48. In Montenegro, Federal Republic of Yugoslavia, UNHCR and the OSCE Office for Democratic Institutions and Human Rights are cooperating in capacity-building and joint training activities for the judiciary, the police, and civil society (lawyers and NGOs). For example, during 2001, UNHCR and the Office for Democratic Institutions and Human Rights will conduct joint training sessions for border authorities on asylum and trafficking issues. Later in the year, the Office for Democratic Institutions and Human Rights plans to hold a seminar on trafficking issues at which UNHCR will make a presentation on asylum issues.

I. United Nations Children's Fund

49. The Organization for Security and Cooperation in Europe has become a new ally in defending children's rights in war and armed conflict. The Warsaw "Human Dimension seminar on children and armed conflict", held in May 2000, engaged the OSCE in a results-oriented process to ensure the full integration of the rights of the child into all spheres of OSCE activity, political as well as operational, in fulfilment of Security Council resolution 1261 (1999). Key recommendations for action included: (a) to establish and make public a comprehensive and open-ended list of early warning indicators related to children, make it subject of monitoring by field mission personnel, and ensure that the results be made available to the decision-making levels; (b) to disseminate information on and raise awareness of international standards on child rights, as laid down in the OSCE Code of Conduct, including in armed forces and police as well as among non-state actors; (c) to consider how best to promote adherence to commitments under international law to provide access for humanitarian assistance during conflict; (d) to promote the concept of children as a "zone of peace"; (e) to ensure that protection of children becomes an integral part of OSCE-mediated peace negotiations and subsequent peace agreements; (f) to provide a framework for the creation of templates for, and facilitate the broadcast of, radio and television programmes for children in conflict and post-conflict areas, locally or through the national and international services of broadcasters.

50. The Executive Director of UNICEF met in February with the Foreign Minister of Romania in his capacity as Chairman-in-Office of OSCE. One particular focus was on building capacity on children's issues, which is now being articulated in an OSCE policy document entitled "Promotion and protection of the rights, interests and welfare of children, in particular in armed conflict". UNICEF has been actively involved in this process and is deepening its cooperation with OSCE field missions. In October 2000, for the first time, the OSCE devoted a session of its Human Dimension Implementation Meeting to "the rights of the child and children and armed conflict", in which UNICEF made an introductory statement. OSCE plans to appoint a special representative for children's rights who will guide its activities in that area, ensure collaboration with international agencies, non-governmental organizations and national institutions, and report on a regular basis to the various political and security bodies of OSCE. Several projects have been run jointly by UNICEF and OSCE over the past year. The "Young Voices" poll consisted in a survey of the views of children and adolescents in Europe and central Asia about basic issues of politics, human rights and society. UNICEF and OSCE jointly set up a Task Force on human trafficking in September 2000 under the aegis of the Stability Pact for South-Eastern Europe. Its second meeting took place in Vienna on 27 and 28 April 2001. This Task Force provides anti-trafficking initiatives with a coordination mechanism, and all forms of trafficking (in children, forced labour and commercial sexual exploitation) are on the table. Although trafficking is still viewed very much in terms of law enforcement in the context of controlling migration, the importance of prevention (addressing the social and economic causes of trafficking) and a special focus on health risks, including human immunodeficiency virus/ acquired immunodeficiency

syndrome (HIV/AIDS) and sexually transmitted diseases, are being internalized by Governments.

51. In Kosovo, together with OSCE, UNICEF took the lead in drafting a new juvenile justice criminal code, which seeks to ensure protection of the rights of children in conflict with the law. In addition, UNICEF and the OSCE legal affairs section are monitoring the status of children apprehended by the police, children in detention and children in court.

J. World Food Programme

52. While the World Food Programme (WFP) does not have a global coordination mechanism with OSCE, several instances show that, where warranted, coordination and complementarity are well ensured at the field level. These include in the Russian Federation, where OSCE provided some food assistance to internally displaced persons and local vulnerable groups in Nadterechnya district in the north of Chechnya, a region not covered by WFP assistance. In Kosovo, WFP continues to cooperate with OSCE, especially since the OSCE civil registration campaign has provided updated population figures to WFP for use in its 2001 programming. OSCE attended the regular regional presentations of WFP on the Safety Net food assistance programme. The presentations were aimed at ensuring that all agencies understand the rationale behind the programme and can provide a consistent response to public enquiries. Since food assistance is only one component of the larger international humanitarian effort in Kosovo, coordination at the field level is crucial. WFP therefore appreciates information forwarded by OSCE from its work on population movements and beneficiary needs. In turn, WFP is able to respond quickly to the needs of those vulnerable populations.

K. United Nations Educational, Scientific and Cultural Organization

53. Although there is no formal agreement of cooperation between the United Nations Educational, Scientific and Cultural Organization (UNESCO) and OSCE, numerous joint initiatives have been carried out, mainly at the country level. For example, an International Congress on Intercultural Education was held in Finland in September 2000 and OSCE invited UNESCO to several consultative meetings on issues related to freedom of the press, as well as to a donors conference for independent media in Kosovo. UNESCO also provided expertise to OSCE in the drafting of new media legislation in Kosovo and assisted in the preparation of the distribution of independent Serbian print media to the Serbian minority in Kosovo. In the field of social and human sciences, a representative of the Office for Democratic Institutions and Human Rights participated in the eleventh annual meeting of the Rectors of Human Rights, Research and Training Institutions held at UNESCO headquarters in January 2001.

L. International Organization for Migration

54. On electoral matters, OSCE and the IOM enjoy long-standing cooperation on absentee voting in the Balkans. In 2000, UNMIK and IOM concluded a memorandum of understanding regarding the registration of Kosovars living outside Kosovo for the conduct of municipal elections under UNMIK/OSCE auspices. In view of the Kosovo parliamentary elections scheduled for 17 November 2001, IOM is again cooperating with OSCE to register voters residing outside Kosovo and to organize the actual balloting, including Serbs displaced from Kosovo to other parts of the Federal Republic of Yugoslavia. Registration and balloting will be carried out in person in the Federal Republic of Yugoslavia, the former Yugoslav Republic of Macedonia and Albania and by mail in some 35 other countries.

55. In the Balkans, within the Task Force on Trafficking in Human Beings led by the OSCE Office for Democratic Institutions and Human Rights, IOM is responsible for coordinating the area of return and reintegration assistance and co-chairs two other areas of concern, namely, victim protection and awareness-raising. IOM, together with the Office, leads a research project, entitled “Data collection on trafficking in human beings to, through and from the Balkan region”, the results of which will facilitate policy formulation and programmatic responses of the Task Force. IOM and OSCE are working closely in Croatia to facilitate the development and secure funding for Croatia’s National Action Plan on Counter-Trafficking of Women for the Purposes of Sexual Exploitation. In addition, joint field visits have been carried out in

order to assess returnee and refugee problems in war-affected areas, as well as the growing problem of irregular migration transiting through the Croatian territory. The Kosovo Direct Assistance Programme for Trafficked Women addresses the needs of women trafficked to or through Kosovo. Standard operating procedures between the main contributing partners IOM, OSCE and UNMIK assure very close cooperation on a daily basis in providing assistance to victims who express the desire to return home. IOM and OSCE are contributing partners in regional meetings with police, judiciary and other concerned entities. OSCE, via the Kosovo Judicial Institute, and IOM are together planning training for judges and prosecutors as regards the trafficking situation in Kosovo and the implementation of the regulation against trafficking in force since January 2001, and in the drafting of which both IOM and OSCE participated. In the former Yugoslav Republic of Macedonia, IOM and OSCE cooperate regularly on counter-trafficking activities with IOM responsible for operational aspects and OSCE addressing political aspects. Both organizations are partners in promoting legislative review and reform as regards smuggling of and trafficking in human beings.

56. In Ukraine, IOM and OSCE have jointly developed a programme to support the creation and establishment of a "National Council against Trafficking in Human Beings" under the auspices of the Ukrainian Ombudsman. In collaboration with OSCE and UNICEF, IOM implements a research project on trafficking in human beings from Armenia. The cooperation is expected to continue through follow-up activities to the study. In Kyrgyzstan, IOM and OSCE conducted jointly funded research on trafficking in migrants, in particular women and children. As a result, both IOM and OSCE were invited by the State Secretary of Kyrgyzstan to provide recommendations to address trafficking from the Republic. Both organizations agreed to cooperate on improving legislation on counter trafficking measures. The Regional Centre for Migration and Refugee Issues in Bishkek has invited IOM and OSCE to jointly organize a meeting on issues of illegal migration.

57. Other areas of cooperation with OSCE include capacity-building in migration management in Ukraine; participation in the return of internally displaced persons from the Gorno Badakhshan region of Tajikistan (since 1997); and, more recently, the return of Tajik refugees from Turkmenistan (ongoing). There are also projects which promote the integration into Estonian society of the wives of former Soviet armed forces officers and a project in Latvia to assist non-citizens of Russian origin to return to the Russian Federation.

58. A 1996 "Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring Countries" established a broad framework for Governments to address migration and displacement problems in accordance with international standards and provided a basis for other interested States and organizations (UNHCR, IOM, OSCE) to support CIS countries in an effort to link migration, displacement and security through complementarity of expertise and objectives. The last Steering Group meeting, held in July 2000, recommended the continuation of the process until the end of 2004.

59. IOM also participates regularly in OSCE forum activities and is associated with the tripartite United Nations-OSCE Council of Europe consultative mechanism, which also provides the context for target-oriented meetings on topics of current interest.

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Environment and sustainable development: Convention on Biological Diversity

Convention on Biological Diversity

Note by the Secretary-General

The Secretary-General has the honour to submit to the General Assembly, pursuant to its request in resolution 55/201 of 20 December 2000, the report of the Executive Secretary of the Convention on Biological Diversity.

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* A/56/50.

Report of the Executive Secretary of the Convention on Biological Diversity

I. Introduction

1. In paragraph 23 of its resolution 55/201 of 8 February 2001, the General Assembly invited the Executive Secretary of the Convention on Biological Diversity to report to it on the ongoing work regarding the Convention.

2. Since the last report of the Executive Secretary to the General Assembly (A/55/211), the principal activities have been the sixth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, the first meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety, Panel of Experts on Access and Benefit-Sharing and the Workshop on the Strategic Plan for the Convention on Biological Diversity.

3. Details regarding these activities are provided in chapter II. Chapter III provides further details about cooperation between the Convention and the United Nations bodies.

4. There have also been various technical meetings, such as: two meetings of the ad hoc technical experts group on forests; a liaison group meeting on coral reefs; a liaison group meeting on alien invasive species; a technical experts meeting on the biosafety clearing house; and two meetings of the Consultative Working Group of Experts on Biological Diversity Education and Public Awareness. A full list of these meetings is provided in annex I.

5. The reports of the above-mentioned meetings, together with lists of participants and pre-session documentation, are available from the secretariat of the Convention at its web site, http://www.biodiv.org.

6. As of 2 July 2001 there are 180 Parties to the Convention, 100 Parties have signed the Cartagena Protocol on Biosafety to the Convention on Biological Diversity and five have ratified it.

7. There are some 19 meetings and/or workshops scheduled from 1 July 2001 in preparation for the sixth meeting of the Conference of the Parties, which will be held from 8 to 26 April 2002 in the Netherlands. A list of these meetings and workshops is contained in annex II.

II. Principal meetings of the Convention

A. Sixth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice

8. The sixth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice was held from 12 to 16 March 2001 in Montreal. Over 560 participants, representing 143 countries and intergovernmental and non-governmental organizations, attended the meeting. The seventh meeting is scheduled for 12 to 16 November 2001 in Montreal.

9. At that meeting, the Subsidiary Body on Scientific, Technical and Technological Advice adopted the following recommendations:

VI/1. Ad hoc technical expert groups;

VI/2. Marine and coastal biological diversity: progress report on the implementation of the programme of work, including the integration of coral reefs;

VI/3. Biological diversity of inland water ecosystems;

VI/4. Alien species that threaten ecosystems, habitats or species;

VI/5. Scientific assessments: development of methodologies and identification of pilot studies;

VI/6. The Global Taxonomy Initiative: programme of work;

VI/7. Biological diversity and climate change, including cooperation with the United Nations Framework Convention on Climate Change;

VI/8. Migratory species and cooperation with the Convention on the Conservation of Migratory Species of Wild Animals;

VI/9. Global Biodiversity Outlook.

10. The report of the meeting is contained in document UNEP/CBD/COP/6/3.

11. The main theme of the meeting was alien species, which after habitat destruction is the most significant threat to biodiversity. In recommendation VI/4, the Subsidiary Body further developed the existing guiding principles for the prevention, introduction and mitigation of impacts of alien species that threaten ecosystems, habitats or species. There are 15 guiding principles in all, addressing general approaches, prevention, introduction of species and mitigation of impacts. The Subsidiary Body urged Parties and other Governments and relevant organizations to promote and implement the guiding principles. The Subsidiary Body also came to the conclusion that certain gaps and inconsistencies remained in the international regulatory framework from the perspective of the threats of invasive alien species to biological diversity. With a view to addressing these gaps and inconsistencies, the Subsidiary Body recommended that relevant Governments and organizations review and revise the relevant standards and agreements and invited such organizations to report on any such initiatives.

12. Another important outcome of the sixth meeting of the Subsidiary Body was recommendation VI/7 on biological diversity and climate change, including cooperation with the United Nations Framework Convention on Climate Change. The Subsidiary Body was requested by the Conference of the Parties to consider the impact of climatic change on forest biological diversity and to prepare scientific advice in order to integrate biodiversity considerations in the implementation of the United Nations Framework Convention on Climate Change and its Kyoto Protocol. To that end, the Subsidiary Body agreed to undertake a pilot assessment to prepare scientific advice to integrate biodiversity considerations into the implementation of the United Nations Framework Convention on Climate Change and its Kyoto Protocol, and, for that purpose, established an ad hoc technical expert group. This would be part of a wider assessment of the inter-linkages between biological diversity and climate change. The Subsidiary Body invited the Intergovernmental Panel on Climate Change (IPCC) to contribute to the pilot assessment by preparing a technical paper and by identifying experts. IPCC, at its seventeenth session, agreed to that request. The Subsidiary Body also invited the United Nations Framework Convention on Climate Change and other relevant organizations to contribute. In June 2001, the Executive Secretary invited Parties, Governments and relevant international organizations to nominate experts to participate in the ad hoc technical expert group. The Group is expected to report to the Subsidiary Body at its eighth meeting in 2002. It is envisaged that the Group will meet once in 2001 and once in 2002.

13. The Subsidiary Body also considered coral bleaching. It endorsed the integration of coral reefs and to that end developed a detailed addition to the programme of work of marine and coastal biological diversity. The coral reef work programme will concentrate on two issues considered to be the major causes of coral reef mortality worldwide: coral bleaching and the physical degradation and destruction of coral reefs. The Subsidiary Body also acknowledged the urgent need to take prompt action to address the impact of climate change on those ecosystems, as a potential major cause of their loss of biodiversity, in particular regarding coral bleaching and its associated socio-economic consequences.

14. In recommendation VI/6, the Subsidiary Body considered the Global Taxonomy Initiative. By that recommendation, the Subsidiary Body requested the Conference of the Parties: to endorse the draft work programme; to urge Governments and international and regional organizations to promote and carry out the work programme; to encourage the involvement of global, regional and subregional networks and partnerships in its implementation; and to examine the financial need for activities and capacity-building. The work programme's operational objectives are: to assess taxonomic needs and capacities; to provide focus in building and maintaining infrastructure for obtaining biological specimens; to facilitate infrastructure for access to taxonomic information; and to generate information needed for decision-making regarding the Convention's thematic work programmes and cross-cutting issues.

B. First meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety

15. In its decision EM-I/3, the Conference of the Parties established an open-ended ad hoc Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP) to undertake the preparations necessary for the first meeting of the Parties. At its fifth ordinary meeting, the Conference of the Parties endorsed a work plan for ICCP over two

meetings, which is contained in the annex to decision V/1. The first meeting of ICCP took place from 11 to 15 December 2000 in Montpellier, France. Nearly 600 participants from 82 Governments and 133 intergovernmental and non-governmental bodies attended the meeting. (The second meeting of ICCP is scheduled for 1 to 5 October 2001 at the seat of the secretariat in Montreal, Canada.)

16. At the first meeting, ICCP adopted recommendations on information sharing and the Biosafety Clearing House (BCH); capacity-building; decision-making procedures under Article 10.7; handling, packaging and identification; and compliance.

17. The most significant outcome of the first meeting of ICCP was its recommendations on the establishment of the pilot phase of BCH. ICCP defined the objectives of the pilot phase as: firstly, to build on the experience and provide feedback for the development of a functional and accessible Internet-based mechanism, and to identify alternatives to the electronic system; and, secondly, to identify and address the capacity needs of countries with respect to the BCH.

18. ICCP also highlighted the following characteristics for the pilot phase: (a) it must be amenable to rapid development; (b) it must be user-friendly, searchable and understandable; (c) it must provide an efficient mechanism for implementation of the requirements of the Protocol; (d) it must incorporate on a priority basis information to facilitate decision-making, information on paragraph 1 of Article 11 of the Protocol, and access to the roster of experts on biosafety following a final decision on the operation of the roster. ICCP additionally identified the following elements as being required to implement the pilot phase: (a) a central portal; (b) central database(s); (c) linkage of the central portal to national, regional and international databases/nodes; and (d) common formats for information, which can incorporate linked information through appropriate search engines.

19. In accordance with the recommendation of ICCP, the Executive Secretary convened a liaison group meeting of technical experts on BCH in Montreal on 19 and 20 March 2001 to provide advice on technical issues associated with the implementation of the pilot phase of the BCH. The Bureau of ICCP endorsed the recommendations made by the liaison group meeting and mandated the secretariat to proceed with the development of the pilot phase along those recommendations. Accordingly, the secretariat launched the pilot phase of BCH on 5 April 2001 as a test web site at the following address: http://bch.biodiv.org.

20. Implementation of the pilot phase is continuing, particularly the development of the central portal, with a view to making it more comprehensive, user-friendly, understandable and searchable. A BCH tool-kit is also being developed as an informative and instructional tool to assist interested users in the use of the pilot phase of BCH. Non-electronic mechanisms for information sharing under BCH will also be developed, and their implementation will be based on countries' demands and needs.

21. Despite the promising start to implementing the Protocol, there remain many important challenges.

22. The most important challenge in this regard is developing the requisite capacities of relevant stakeholders. The basic purpose of the procedures and mechanisms of the Protocol is to enable informed decision-making. The effectiveness of such a procedure is dependent upon generating pertinent information, ensuring that decision makers are provided with it in a timely fashion and have the capacity to use this information. A fundamental capacity to the effective implementation of the Protocol will therefore be biotechnology capacity. Without the ability to properly understand the technology, it will be impossible to properly assess and manage any risks that arise from the application of biotechnology. Owing to the nature of the technology, developing capacities where they are needed will require a renewed and reinvigorated commitment to the transfer of technology. This will mean transfers from developed Parties to developing Parties. Most importantly, transfers from the private sector will be crucial. All Governments in the negotiations repeatedly acknowledged that that would be the key to the success of the Protocol. The first meeting of ICCP considered the matter in a preliminary fashion based on a compilation of activities of donors and other relevant organizations. More focused and concrete recommendations are expected from the second meeting.

23. Another important challenge for implementing the Protocol is its relationship with the existing international regime dealing with the products of biotechnology. Biosafety is such a broad issue covering

such a wide range of activities that the scope of the Protocol overlaps with many existing international processes. For instance, the Codex Alimentarius Committee (CAC), the Organisation for Economic Cooperation and Development (OECD), the Food and Agriculture Organization of the United Nations (FAO) and the World Trade Organization (WTO) are all considering measures to regulate the use of biotechnology in one form or another. Consequently, if the Protocol is to be effective, it will need to work with, build upon and cooperate with all these relevant processes.

24. The Protocol has an important contribution to make to this international regime in that it clarifies the use of the precautionary approach with respect to living modified organisms. It does this in a number of important ways, which include the following:

(a) Elaborating the necessary steps for a valid risk assessment (that is, annex III);

(b) Distinguishing and elaborating the concept of risk management (that is, Articles 15 and 16);

(c) Outlining a specific process for review of decisions in the light of new evidence (that is, Article 12).

25. The Protocol therefore adds clarity to a contentious and important issue. Realizing this contribution will, however, be a complex and detailed task. It will also require a new level of cooperation and understanding between the different regimes dealing with living modified organisms.

C. Second meeting of the Panel of Experts on Access and Benefit-sharing

26. The Panel of Experts on Access and Benefit-sharing is a regionally balanced group of experts, established by the Conference of the Parties to develop a common understanding of basic concepts related to access and benefit-sharing and to explore options for access and benefit-sharing on mutually agreed terms. The Panel of Experts was formed of government-nominated experts from the public and private sectors, as well as representatives from local and indigenous communities. It first met in Costa Rica in October 1999 and reached broad conclusions on: prior informed consent, mutually agreed terms, information needs and capacity-building. The Panel was not able, however, to reach conclusions about the role of intellectual property rights in the implementation of access and benefit-sharing arrangements.

27. At its fifth meeting, in May 2000, the Conference of the Parties decided to reconvene the Panel of Experts. The second meeting of the Panel of Experts was held in Montreal from 19 to 22 March 2001 to conduct further work on outstanding issues from the first meeting, and to assess user and provider experience on access and benefit-sharing and identify approaches for the involvement of stakeholders in access and benefit-sharing arrangements.

28. With a view to facilitating the work of the Working Group, the Conference of the Parties invited the Panel of Experts to identify: (a) the types of guidelines and other approaches that would be best suited to achieve the objectives of the Convention; and (b) elements for international guidelines and other approaches, taking into account the conclusions of the first meeting of the Panel.

29. The conclusions of the second meeting of the Panel of Experts are contained in document UNEP/CBD/WG-ABS/1/2.

30. The Panel of Experts recognized that guidelines should be seen as part of a package of measures or approaches. Other complementary approaches include codes of conduct, indicators and model agreements. In addition, information exchange mechanisms, such as the clearing house mechanism, can make available existing legislative texts and policy decisions and other relevant information.

31. In addition, it was felt that capacity-building should be the essence of the work on access and benefit-sharing. In particular, the Panel felt that the focus of that work should be to strengthen the ability of relevant stakeholders in a number of areas, including: the development of adequate legislation, administrative and policy measures; the protection of genetic resources and associated traditional knowledge, innovations and practices of indigenous and local communities, and scientific and technical areas, such as technology transfer to enable countries to conserve and undertake sustainable use of their own biological resources. The Panel stressed that raising awareness of the importance of capacity-building for access and benefit-sharing was required at all levels, from government to local communities. The Panel suggested that the Working Group should consider the need to

draw up action plans for capacity-building on access and benefit-sharing with, inter alia, specific indicators, identified milestones, time frames, roles of donors, drivers.

32. The conclusions of the Panel will be considered by the Open-ended Working Group on Access and Benefit-sharing, also established by the Conference of the Parties at its fifth meeting.

33. The Working Group on Access and Benefit-sharing will hold its first meeting in October 2001, in Bonn, Germany. The mandate of the Working Group is to develop "guidelines and other approaches" for submission to the Conference of the Parties at its sixth meeting. These international guidelines and other approaches, such as model agreements, are meant to assist Parties and stakeholders in the implementation of access and benefit-sharing arrangements. They should serve as inputs when developing and drafting legislative, administrative and policy measures on access and benefit-sharing and contracts and other arrangements under mutually agreed terms for access and benefit-sharing.

D. Workshop on the Strategic Plan for the Convention on Biological Diversity

34. The Conference of the Parties at its fifth meeting decided to initiate a process to develop a Strategic Plan for the Convention in time for its sixth meeting. In his note of 13 March 2001 entitled "Strategic Plan for the Convention on Biological Diversity", the Executive Secretary provided a detailed outline of the overall process for developing the Strategic Plan.

35. An important step in that process was the convening of meeting of experts to consider the note of the Executive Secretary and provide draft elements of a strategic plan for the open-ended meeting on the plan in November 2001 and, ultimately, the Conference of the Parties at its sixth meeting in April 2002. At the kind invitation of the Government of the Seychelles, such a workshop was convened from 28 to 30 May 2001.

36. The meeting considered the note by the Executive Secretary, provided guidance on follow-up steps and the overall process to develop a strategic plan between then and the sixth meeting of the Conference of the Parties and agreed upon a structure and draft elements of a plan.

37. Based on those conclusions and the note of the Executive Secretary of 13 March 2001, the Executive Secretary developed draft elements of the plan, which are contained in document UNEP/CBD/MSP/2.

III. Cooperation with the General Assembly and other relevant institutions

38. The relationship between the Convention and the General Assembly and its related bodies has been of central importance to the work of the Convention process during the relevant period. Important aspects of this relationship include: cooperation with the Rio Conventions; forest biological diversity; sustainable tourism; financial support for the implementation of the Convention; education and public awareness; and exploring synergies with respect to scientific assessments of the ecological linkages between the Rio conventions. The focus of the relationship between the Convention and the General Assembly has, however, been the forthcoming 10-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development and the contribution that the Convention can make to that process.

39. As has been noted previously, the Conference of the Parties at its fifth meeting recognized the importance of the forthcoming 10-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development and adopted decision V/27 addressing the contribution of the Convention to that review process. In its decision, the Conference of the Parties welcomed the invitation of the General Assembly to the secretariat of the Convention to report on how its activities were contributing to the implementation of Agenda 21 and the Programme for the Further Implementation of Agenda 21, for the consideration of the General Assembly at its fifty-fifth session. It also welcomed the invitation of the Commission on Sustainable Development extended to secretariats of conventions related to the United Nations Conference on Environment and Development to support preparatory activities of the 10-year review, and to review and assess their respective programmes of work since the United Nations Conference on Environment and Development. It requested the Executive Secretary to support such preparatory

activities and, in particular, to report to the Commission on Sustainable Development on progress made in the implementation of the Convention and encouraged Parties, Governments and countries to highlight and emphasize biological diversity considerations in their contributions to the 10-year review.

40. Consequently, the secretariat has continued to participate in the various mechanisms for assisting the Secretary-General in preparing for the review.

41. The focus of this work has been the responses to the invitations of the General Assembly to provide a report on the experience of the Convention and the lessons learned and provide ideas and proposals for furthering the implementation of Agenda 21 and the Programme for the Further Implementation of Agenda 21 for the consideration of the Commission on Sustainable Development at its tenth session and the World Summit on Sustainable Development (see paragraph 11 (e) of resolution 54/218 of 22 December 1999, paragraph 10 of resolution 55/201 of 20 December 2000 and paragraph 11 of resolution 55/199 of 20 December 2000). The central theme of the present report is that the key challenge facing the General Assembly at the Summit is how to further implement sustainable development. Biological diversity underpins society in many important ways. Food security, climatic stability, freshwater security and the health needs of humans all directly depend upon maintaining and using the world's biological diversity. Manifestly sustainable development cannot be achieved without the sustainable use of biological diversity. The Convention, which was negotiated contemporaneously with Agenda 21, has as a central purpose the promotion of sustainable development through the conservation and sustainable use of biological diversity. The Convention is therefore an important instrument for the implementation of Agenda 21 and in turn has an important contribution to make to the efforts of the General Assembly to implement sustainable development. The report highlights the experiences gained to date and the lessons learned by the Convention in its efforts to achieve its aims and goals and in turn those of Agenda 21 over the past 10 years. On the basis of that experience the report offers some options and ideas that would further the implementation of Agenda 21 as well as the Convention.

42. Significant progress has also been made in cooperation with the United Nations Framework Convention on Climate Change process since the last report. As mentioned above, the Conference of the Parties at its fifth meeting noted that closer collaboration with the Framework Convention, including its Kyoto Protocol, was desirable with respect to a number of issues. To that end, the Conference requested its President, the Subsidiary Body on Scientific, Technical and Technological Advice, Parties and the Executive Secretary to cooperate with relevant bodies of the Framework, including its Kyoto Protocol, with particular emphasis on the issues of dry and sub-humid lands, forest biological diversity, coral reefs and incentive measures. The relevant decisions were formally communicated to the Framework Convention and also discussed in a note prepared by the Executive Secretary and submitted to the Conference of the Parties of the Framework Convention at its sixth session and its Subsidiary Body on Scientific, Technical and Technological Advice at the second part of its thirteenth session, held in The Hague from 13 to 24 November 2000. The Subsidiary Body on Scientific, Technical and Technological Advice took note with appreciation of the information contained in a discussion note prepared by the Executive Secretary of the Convention on Biological Diversity. It also took note of the decisions of the Conference of the Parties at its fifth meeting relating to forest biodiversity and marine and coastal biodiversity, particularly coral reefs, and their links to the Framework Convention. The Subsidiary Body on Scientific, Technical and Technological Advice agreed to consider the matter in more detail at its fourteenth session. It invited Parties to submit their views on the issues identified in the discussion note prepared by the Executive Secretary of the Convention to the secretariat of the Framework Convention.

43. On the advice of the secretariat of the Framework Convention the Executive Secretary has also held discussions with the IPCC Chair on these matters and, in particular, on the participation of IPCC in the work of the Subsidiary Body on Scientific, Technical and Technological Advice on the impacts of climate change on biological diversity and in the preparation of scientific advice on the integration of biodiversity considerations into the implementation of the Framework Convention and its Kyoto Protocol.

44. In line with Conference of the Parties decision V/4 and the recommendations of the Subsidiary Body on Scientific, Technical and Technological Advice, the Executive Secretary has begun the task of assembling information relating to the integration of biodiversity considerations into the implementation of the Framework Convention and its Kyoto Protocol. This includes information prepared by the IPCC, notably its third assessment review and its special report on land use, land use change and forestry, and by other organizations, both intergovernmental and non-governmental.

45. With respect to forests, the Conference of the Parties urged Parties, Governments and organizations to advance the implementation of the programme of work for forest biological diversity (previously described in the annex to document A/53/451). In its decision V/4, the Conference of the Parties established a technical expert group to, inter alia, identify options and suggest priority actions to: mitigate the direct and underlying causes of forest biodiversity loss, restore degraded forests and identify state-of-the-art technologies with a view to assisting the Subsidiary Body on Scientific, Technical and Technological Advice to consider these issues. This group has now met twice and its report will provide the basis for the Subsidiary Body's consideration of the issue at its next meeting, in November 2001. The Subsidiary Body has also been requested to develop advice on human-induced uncontrolled forest fires and to prepare sustainable practices for the harvesting of non-timber forest resources. The secretariat has continued its close collaboration with the United Nations process on forests, participating in the first meeting of the United Nations Forum on Forests. The work of the technical expert group, the Subsidiary Body and the Conference of the Parties will provide an important contribution to this collaboration.

Annex I

Meetings organized by the secretariat of the Convention on Biological Diversity

11-13 September 2000 Montreal, Canada	Meeting of Technical Experts on the Biosafety Clearing House
7 September 2000 Cape Town, South Africa	Liaison Group Meeting on Alien Invasive Species
24-29 October 2000 Bali, Indonesia	Liaison Group on Coral Reefs
19-21 November 2000 Bergen, Norway	Second CBD/UNESCO Consultative Working Group of Experts on Biological Diversity Education and Public Awareness
23 November 2000 Montreal, Canada	Global Taxonomy Initiative Coordination Mechanism
7 November-1 December 2000 Montreal, Canada	Technical Expert Group on Forests
11-15 December 2000 Montpellier, France	First Meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP-1)
24-26 January 2001 Rome, Italy	Liaison Group on Agricultural Biodiversity
25-26 January 2001 Geneva, Switzerland	Global Biodiversity Outlook Advisory Group
6-9 February 2001 San José, Costa Rica	Central American Workshop and Taxonomic Needs Assessment on the Global Taxonomy Initiative
26-28 February 2001 Nairobi, Kenya	Regional Meeting on Biosafety Clearing House and the Clearing House Mechanism in Africa
7 February-1 March 2001 Cape Town, South Africa	Global Taxonomy Initiative Regional Meeting in Africa
4 March 2001 Montreal, Canada	Meeting with SBSTTA Focal Points, Clearing House Mechanism Focal Points, and Informal Advisory Committee of the Clearing House Mechanism
11 March 2001 Montreal, Canada	Informal Consultation on the proposed Global Strategy for Plant Conservation

11 March 2001 Montreal, Canada	Informal Advisory Committee Meeting of the Clearing House Mechanism
12-16 March 2001 Montreal, Canada	Sixth Meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-6)
19-20 March 2001 Montreal, Canada	Liaison Group Meeting of Technical Experts on the Biosafety Clearing House
19-22 March 2001 Montreal, Canada	Panel of Experts on Access and Benefit-Sharing
23-27 April 2001 Edinburgh, United Kingdom	Technical Experts Group on Forests
28-30 May 2001 Mahé, Seychelles	Workshop on the Strategic Plan
4-7 June 2001 Santo Domingo, Dominican Republic	Workshop on Biological Diversity and Tourism
13-15 June 2001 Paris, France	Expert Meeting on Handling, Transport, Packaging and Identification of Living Modified Organisms
18-20 June 2001 Paris, France	Workshop on Liability and Redress under the Convention

Annex II

Planned meetings/workshops in preparation for the sixth meeting of the Conference of the Parties organized by the secretariat of the Convention on Biological Diversity

11-13 July 2001 Havana, Cuba	Open-ended Meeting of Experts on Capacity-building for the Implementation of the Biosafety Protocol
14 July 2001 Havana, Cuba	International Workshop on Financial Support for National Biosafety Frameworks (Co-organized with UNEP)
16-17 July 2001 Havana, Cuba	Workshop on Financing for Biodiversity (Co-organized with the Global Environment Fund)
September 2001 Location to be determined	Workshop on Incentive Measures
Beginning September 2001 Montreal, Canada	Technical Experts Review Meeting on the Pilot Phase of the Biosafety Clearing House
13-15 September 2001 Bilbao, Spain	Third Meeting of the CBD/UNESCO Consultative Working Group of Experts on Biodiversity Education and Public Awareness
17-21 September 2001 Maputo, Mozambique	African Regional Workshop on Sustainable Use of Biological Diversity
26-28 September 2001 Nairobi, Kenya	Open-Ended Meeting of Experts on Compliance
1-5 October 2001 Nairobi, Kenya	Second Meeting of the Intergovernmental Committee for the Cartagena Protocol on Biosafety (ICCP-2)
22-26 October 2001 Warkworth, New Zealand	Technical Expert Group on Marine and Coastal Protected Areas
22-26 October 2001 Bonn, Germany	Ad Hoc Open-Ended Working Group on Access and Benefit-Sharing
5-9 November 2001 Location to be determined	Technical Expert Group on Mariculture
12-16 November 2001 Montreal, Canada	Seventh Meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-7)
19-21 November 2001 Montreal, Canada	Open-ended inter-sessional meeting on the Strategic Plan, national reports and the implementation of the Convention

January 2002 Location to be determined	Asian Regional Workshop on Sustainable Use of Biological Diversity
February or March 2002 Location to be determined	Latin American and Caribbean Regional Workshop on Sustainable Use of Biological Diversity
February-March 2002 Location to be determined	Regional Preparatory Meetings for the Sixth Meeting of the Conference of the Parties (COP-6)
4-8 February 2002 Montreal, Canada	Meeting of the Ad hoc Inter-sessional Working Group on Article 8 (j)
11-12 February 2002 Montreal, Canada	Technical Expert Group on Dryland Biodiversity
8-26 April 2002 The Hague, Netherlands	Sixth Meeting of the Conference of the Parties (COP-6)
8-26 April 2002 The Hague, Netherlands	First Meeting of the Parties to the Cartagena Protocol on Biosafety (MOP1)

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Economic and environmental questions: public administration and development

Five-year assessment of the progress made in the implementation of General Assembly resolution 50/225 on public administration and development

Report of the Secretary-General

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I. Introduction

1. In its resolution 53/201 of 15 December 1998, the General Assembly endorsed Economic and Social Council decision 1998/220 of 23 July 1998, in which the Council requested the Secretary-General to conduct a five-year assessment of the progress made in the implementation of resolution 50/225 of 19 April 1996, on public administration and development, and to report his findings to the Assembly through the Council in 2001.

2. Following the major United Nations conferences and summits in the 1990s, the General Assembly, in its resolution 50/225, stressed the importance of transparent and accountable governance in all sectors of society. It also recognized the need for public administration systems to be sound, efficient and well equipped with the appropriate capacities and capabilities; invited Governments to strengthen their public administrative and financial management capacities through public-sector administrative and management reform, with emphasis on enhanced efficiency and productivity, accountability and responsiveness of the public institutions; and encouraged, where appropriate, decentralization of public institutions and services.

3. In the same resolution, the General Assembly acknowledged the important role of United Nations activities and programmes in public administration and development, and called for their enhanced effectiveness and synergy, with a view to assisting Governments, at their request, to improve their responsiveness to meet the basic needs of all and to achieve sustainable development in all countries. Moreover, the Assembly recommended that the Secretary-General take appropriate measures in order to ensure maximum coordination of activities of the United Nations system in the field of public administration and development.

4. The present report seeks to take stock of current trends and assess the progress made and challenges faced by Governments and all concerned partners, both within and outside the United Nations system, in the implementation of resolution 50/225. In addition, it addresses the recommendations adopted by the Group of Experts on the United Nations Programme in Public Administration and Finance at its fifteenth meeting (New York, 8-12 May 2000), as contained in the Secretary-General's report on the subject (E/2000/66).

5. Within the five-year assessment, overall analyses and findings will be supplemented, in the form of addenda to the present report, by background materials, such as a summary of national submissions in response to the questionnaire addressed to government officials responsible for public administration and an overview of contributions received from the relevant international organizations, both within and outside the United Nations system, on their activities in the area of public administration and development. All background information will be posted at the web site: http://unpan.org/dpepa.asp and will be accessible through the United Nations Online Network in Public Administration and Finance (UNPAN).

II. Current trends and challenges affecting public administration

6. At the beginning of a new millennium, there is great potential for enhanced prosperity in the world and for the advancement of human rights, social equity and peace. Major achievements in many fields of human activity have greatly contributed to ameliorating the living conditions of many people across the globe. The progress in science and medicine accounts for an increase in life expectancy and a dramatic decline in infant mortality. Information and communication technology has opened the doors to greater interaction and interconnectedness, shrinking distance and time. Globalization has created new opportunities for economic development. Trade barriers as well as capital controls have been lifted in many parts of the world, allowing for enhanced economic exchanges. The flow of foreign direct investment, especially to developing countries, has opened new venues for economic growth.

7. Despite advancements in every branch of knowledge, increased global wealth, and the opportunities unleashed by globalization, the world today faces great challenges. The benefits of globalization remain highly concentrated within a relatively small group of countries. Poverty, inequality, civil war, and the spread of deadly diseases, including HIV/AIDS, are devastating many countries and compromising their hope for a better future. All these challenges affect public administration in many ways and at various levels. The State and its institutions are increasingly subject to pressure in both the domestic and international arenas. New challenges and persisting

problems call for major innovations and reforms in public administration. It is essential that the State, especially in developing countries, strengthen its administrative capacity and enhance the effectiveness of public institutions. Overall, public administration systems have a crucial role to play in the quest for peace, greater freedom, social equity and sustainable development.

A. Alleviation of poverty and income inequality

8. Alleviating poverty and income inequality is the priority objective and the raison d'être of public administration. At present, half the world — nearly 3 billion people — lives on less than US$ 2 a day while the richest 20 per cent of the global population receive more than 80 per cent of the global income. Inequality between developed and developing countries continues to grow, as well as disparity within the most advanced countries. The increase in poverty, coupled with the deterioration of human capital and the widening gap between the rich and the poor, the powerful and the weak, the skilled and the unskilled, the networked and the isolated, calls for greater capacity-building at the national level and concerted action at the international level.

B. Advancement of human rights and gender equality

9. Despite the progress made by many countries in protecting human rights, there are still too many cases of violations of fundamental freedoms and human suffering across the world. Minorities in many countries are still not fully integrated into the social and economic fabric of society. Many suffer from discrimination, deprivation of basic rights, physical abuse and, in extreme cases, imprisonment without a fair trial. Promoting democracy is a prerequisite to ensuring the respect for human rights, but the rule of the majority must be counterbalanced by safeguards to protect minority rights. Great advances have been made in this field, especially since the 1980s, when the so-called "third wave" of democratization spread to many parts of the world. An increasing number of countries have taken steps towards the realization of the rights stipulated in the Universal Declaration of Human Rights and other instruments. Yet, human rights violations continue to occur in various parts of the world. This poses a great challenge to national and international governance institutions. At the national level, Governments should continue to promote and protect all human rights, by developing appropriate legislation and reinforcing judicial administration systems. At the international level, greater coordination of efforts is required to combat old and new phenomena which constitute an offence to human dignity and liberty, such as the illegal trafficking in children and women.

10. All countries have made, in varying degrees, efforts to promote gender equality. Substantial ground has been covered in providing guarantees of equal protection of women before the law. However, further measures are needed to eliminate all forms of discrimination against women, both in developed and developing countries. Governance institutions and public administration systems should strive to elaborate policies, adopt practices, and enhance resource allocation mechanisms to ensure full participation of women in all social, economic and political fields, including public administration itself.

C. Making globalization work for all

11. National administrative systems are operating in an environment that is increasingly being shaped by globalization. Closer economic, social and cultural interaction and greater interconnection between various regions of the world are part of this process, which is likely to accelerate in the future. New rules integrating global markets have been devised, but they have not always been beneficial to developing countries. In fact, the benefits of globalization have been unevenly spread among and within countries, while the costs have been borne by the weakest sectors of the population. In addressing globalization, more attention should be given to social, environmental and labour concerns.

12. It is being increasingly recognized that globalization cannot be built on market forces alone but must also be based on a platform of shared values, including freedom, equality, solidarity, tolerance, and shared responsibilities. This in turn calls for better governance at the national and international levels alike. At the national level, greater capacity is needed to face the many challenges of globalization. At the international level, States must learn how to govern better together. The international institutions should become better attuned to the new realities of the twenty-first century, so as to enable States to deal more effectively with cross-border activities as well as the scourge of poverty and inequality. The challenge for

public administration systems at all levels is to devise effective means to harness the opportunities of globalization for all, while minimizing its negative effects. Some major concerns in this area are outlined below.

13. *Migration of skilled workers, unemployment, and economic insecurity.* Globalization has facilitated the movement of skilled labour across national boundaries but has also resulted in further brain-drain from developing countries. The brain-drain effect is impoverishing developing countries and depriving them of their most skilled human resources. Globalization has also produced greater economic insecurity, especially among vulnerable groups of society, in both developed and developing countries. People fear losing their jobs, as companies can easily relocate to other regions of the world where wages are lower. National public administration systems must become more responsive to these new problems and must promote incentive mechanisms to retain skilled workers within their economies while ensuring that social networks are in place to support workers who suffer sudden unemployment.

14. *Challenges to the fiscal capacity of States.* Economic globalization and advances in information and communication technology are likely to seriously undermine the ability of countries to collect taxes and determine the distribution of the tax burden. While most industrial countries are collecting more tax revenues than before, there are "fiscal termites" gnawing away at the foundations of their tax systems. Firstly, the growth of e-commerce will lead to virtual transactions, which are difficult to trace. It will also produce a shift from production and sale of physical products to digital transactions, leading to vague concepts of tax jurisdiction, which in turn makes it difficult to define who should pay the taxes or collect them. Secondly, electronic money will substitute for real money in individual transactions, and this could create significant problems for tax authorities, since electronic cash can be made available through accounted or unaccounted systems. The latter, lacking any central record of transactions, would pose a risk to both value-added tax and income tax collections. Thirdly, growing trade within transnational corporations with operations in different countries will lead to a potential abuse of "transfer pricing" mechanisms through the manipulation of prices, to move profits from high-tax jurisdictions to low-tax ones. Fourthly, the increase in offshore financial centres and tax havens will facilitate money-laundering and tax evasion. Fifthly, new and innovative financial instruments, such as derivatives and hedge funds operating from offshore centres, will make it difficult to identify individual beneficiaries, transactions or jurisdictions. All these problems require collective state intervention at the international and national levels. At the international level, States must cooperate to prevent the erosion of fiscal autonomy by fostering greater tax harmonization, while at the national level, tax administration systems must become more efficient and transparent in order to ensure the viability of social policies.

15. *Technological divide.* Information and communication technology has presented unprecedented opportunities and risks for the developing world. It has the potential to foster economic and social progress, but it also risks bypassing or marginalizing countries that already lag behind in technological innovations. States need to address the major impediments to the participation of the majority of the people in developing countries in the information age, such as lack of infrastructure, education, capacity-building, investment and connectivity.

16. *International criminal networks.* States are increasingly confronted with new and sophisticated forms of crime, which affect their own territory but are transnational in nature. Increasingly, criminal networks take advantage of the most advanced technologies to traffic around the world in illicit drugs, arms, precious metals and stones, and even people. A new form of slavery is developing, and children and women are particularly vulnerable to these new threats. The proliferation of criminal activities calls for the adoption of new methods and techniques to fight crime and requires enhanced cooperation at the international level as well as greater capacity-building in the areas of crime prevention, detection and law enforcement.

D. Population prospects and the impact of HIV/AIDS

17. Developments in the demographic sphere directly affect the well-being of people. It is therefore imperative that Governments remain keenly aware of demographic trends and prospects, so as to adjust public-sector administrative systems and services to emerging needs. According to the latest estimates, the

world population in mid 2000 was 6.1 billion and is currently growing at the rate of 1.2 per cent, or 77 million people, per year. Over the next 50 years, developing countries will continue to account for the bulk of the population increase, while the most rapid growth is expected in the least developed countries. In developed countries, population is coming of age. As a result, the global number of elder persons (60 years and above) will more than triple, from 606 million today to nearly 2 billion by 2050. At the same time, international migration is projected to remain high, with the more developed regions expected to continue being net receivers of international migrants, with an average gain of about 2 million per year over the next 50 years. Because of low fertility, this migration has a significant impact on population growth in the more developed regions.

18. The impact of the HIV/AIDS epidemic on the world's population is worsening in terms of increased morbidity, mortality and population loss. Since the epidemic began, HIV/AIDS has spread to every corner of the globe and has killed a total of 21.8 million people. Sub-Saharan Africa is by far the worst affected region, with the highest adult HIV prevalence rate. Still rapidly growing, the epidemic poses a serious threat to development. By impeding growth, weakening governance, destroying human capital and eroding productivity, HIV/AIDS undermines countries' efforts to reduce poverty and improve living standards. Governments are losing valuable skilled employees and are confronted with mounting expenses for health and orphan care, reduced revenues and lower return on social investment.

19. These demographic trends are posing a serious challenge to national and international governance systems. In developing countries, Governments will have to deal with a wide range of problems related to the exponential increase in population and the propagation of deadly diseases, such as HIV/AIDS. In the developed world, administrative systems will have to undertake a number of reforms, so as to meet the needs of the growing number of the elderly and to respond to an increasingly diverse society.

E. Protection of the environment and sustainable development

20. Protecting the environment is a compelling challenge of our times, which requires greater action at the national and international levels. States must be prepared to collaborate on this matter through special agreements and commitments if the world is to be preserved for future generations. Climatic changes during the twenty-first century have the potential to lead to future large-scale and possibly irreversible changes in our ecosystems at the continental and global levels. Phenomena such as droughts, floods, avalanches, heat waves and windstorms are very likely to increase. Natural systems at risk include glaciers, coral reefs and atoll, mangroves, boreal and tropical forests, polar and alpine ecosystems. Poor countries will be the most affected, because their economies are in climate-sensitive sectors and their institutional and administrative capacities are too weak to manage these environmental challenges successfully.

F. Prevention and management of violent conflicts

21. The nature of conflict has greatly changed in recent decades. Violent and armed conflicts are not occurring any longer on a large scale between States but rather within national boundaries. Ethnic cleansing and acts of genocide have been perpetrated in several regions of the world, leading to great human suffering and the destruction of the social and economic basis of many societies. As shown by recent experience, if there are no institutions through which conflict can be channelled and if mechanisms for the peaceful resolution of disputes are not in place, violence and conflict can escalate into long and devastating civil wars.

III. Public administration responses

22. Many States have embarked on a number of reforms to enable the State and public administration to address the above-mentioned challenges more efficiently and effectively. For the five-year assessment of the progress made in the implementation of General Assembly resolution 50/225, several Governments provided information on their reform efforts. The main features of the reform process are summarized below. Obviously, not all countries have given equal attention to all the highlighted areas. Depending on specific situations and national priorities, reform strategies have varied. Addressing the key reform areas described below is considered a fundamental step in enabling States and public administration to cope successfully with the challenges of the new millennium.

A. Promoting democratization and decentralization

23. Democracy offers the best opportunities for self-determination and self-government, and it promotes freedom in many ways. It provides the grounds for accountable, responsive, predictable, and peaceful governance systems. Promoting democracy is of the utmost importance to guarantee that people participate in all spheres of the political, economic and social life of a polity. Democratization is therefore an essential prerequisite to sustainable development, and appropriate reforms should be introduced to ensure the full development of a democratic society. Particular emphasis should be placed on strengthening parliaments, on enhancing political participation and on devising appropriate rules and regulations to ensure that elections are conducted in a fair, transparent and efficient manner.

24. As a part of the democratization process, decentralization has been promoted in various degrees and with varying success in different countries. One condition for its success is a legislature able to prompt, initiate, monitor, and guide the process of political and financial decentralization. It also requires an adequate financial resource base for local governments to function properly and competent and capable human resources.

B. Developing legal and institutional frameworks and economic governance systems

25. The reinforcement of political institutions and their adjustment to the demands and pressures of a changing environment have been a priority for many developing countries and countries with economies in transition and should continue to remain at the top of the reform agenda. It is widely acknowledged that greater sustainable development and prosperity can be achieved only in the presence of strong, healthy state institutions. In this respect, Governments need to build effective regulatory and institutional frameworks, which include a political system that ensures broad participation; an efficient legal system that secures the rule of law; an independent judiciary that ensures reliable processes for resolving disputes; a strong parliament to counterbalance the power of the executive; an efficient tax system that provides the necessary resources for social policy reforms; and a financial system that is modern, efficient, and transparent. Equitable, transparent and consistent legal systems are needed to provide solid foundations and structures for the functioning of social institutions.

26. With regard to the private sector, it is noteworthy that markets can flourish and sustainable economic prosperity can be achieved only if there is a strong democratic and effective State which provides, through rules and institutions, an enabling environment for private-sector development. Adequate legal and regulatory frameworks are at the core of sound economic governance. This includes the correction of market failures, competition laws and anti-trust regulations. In the absence of appropriate institutions, competition is stifled and lawlessness prevails, leading to instability, corruption, chaos and usually the emergence of kleptocracies. Indeed, the central error of reform programmes introduced in several countries has been to believe that by eliminating central planning and by introducing private property rights, the market system would automatically develop and that it would operate on its own. It is now widely recognized that the market is not a deus ex machina or a mysterious force that operates through an invisible hand. On the contrary, the market is a social institution which has been developed over time by conscious human action. Experience has shown that the private sector cannot develop fully unless Governments institute a legal framework that guarantees and protects private property, governs business relationships and enforces the commitments involved in business contracts. In many instances, Governments should take the lead in simplifying procedures and regulations for the registration and licensing of businesses. Governments have a very important role to play in promoting an effective regulatory framework in which the private sector can fully develop and operate. Constant efforts should be directed at ensuring that institutional frameworks are responsive to the changing environment of today's world.

C. Facilitating debureaucratization

27. In a new era, obsolete bureaucratic structures cannot work effectively. Debureaucratization and decentralization must go in tandem with new approaches to management, by exemplifying openness, adaptability, participation, flexibility, diversity and responsiveness. Many new tasks of governance require public authorities to act as mediators, advocates or promoters, actively seeking partnerships with the private sector and non-governmental organizations or

otherwise endeavouring to engage civil society in the pursuit of developmental objectives.

D. Developing ethics and anti-corruption strategies

28. Cutting across the range of skills and knowledge needed to build effective management in today's fast-moving world is the concept of professionalism, which, in the past few years, has made a marked re-entry into the field of management. A concern over the decline of standards and corresponding need for integrity in public life have driven the debate on the scope and significance of public service professionalism and anti-corruption strategies. Professionalism in government is based not only on relevant deep knowledge and aptitudes or skills but also on a coherent, widely shared and profoundly internalized values system which manifests itself in the pursuit and detailed application of knowledge, the use of particular skills and in the exercise of control over practice. Indeed, professionalism consists of standards and values which underpin the practices and conduct of public servants from day to day. Although these values and standards must reflect the changing expectations of clients and recipients of social services, they must also represent the mission and aspirations of the public institutions. Hence their worth is an important guide and motivational tool. Governments have taken steps and should continue to take urgent concerted measures to reinforce the ethics infrastructure of their countries and to introduce a comprehensive set of mechanisms, including merit pay and performance benchmarks, to deal with corruption and generally raise the standards of public life, nationally and globally.

E. Enhancing transparency, accountability and efficiency in the public sector

29. Along with anti-corruption strategies, there is also a need to elaborate a framework of rules, processes and practices which determine how power is exercised. The new global environment calls for greater consistency, transparency, coherence and accountability in the public sector and a cadre of top-level managers who can promote the above-mentioned values and operate effectively in the new international environment. Enhancing efficiency in the use of resources as well as in the daily operations of national administrative systems is of the utmost importance. New mechanisms have been introduced in many countries to ensure that public administration systems are efficient and responsive to the needs of the people and that civil servants are accountable for the performance of their functions. Ensuring accountability through appropriate mechanisms is essential to guarantee that public administration operates in an efficient, effective and transparent manner.

F. Providing public services for all

30. Access to basic public services is a prerequisite to alleviating poverty and promoting greater equality. The lack of access to basic services such as health, education, sanitation, electricity and potable water is compromising the future of many people in the developing countries. If Governments do not actively intervene to facilitate universal access to primary and secondary education, to health, sanitation, housing and appropriate infrastructures, significant imbalances among the different social sectors of society will persist and will perpetuate "perverse circles of inequality". A core function of public administration is to ensure the provision of basic services for all and to develop new and more efficient mechanisms for public service delivery. In order to overcome budgetary constraints, many countries have started involving civil society groups in the provision of public services and, in many cases, this strategy has proved to be successful.

G. Improving resource mobilization and financial management systems

31. Fiscal policy plays a central role in enabling a country to achieve its economic and social objectives, from macroeconomic stability to sustainable growth and poverty reduction. In the 1990s, fiscal policy played an important part in public policy deliberations of many countries as concerns with fiscal dimensions of high unemployment, inadequate national savings, excessive budget deficits and public debt burdens intensified. Looming crises in the financing of pension and health-care systems are also putting pressure on fiscal policy management. In response to these challenges, many developing countries and countries with economies in transition have made major efforts to promote the mobilization of domestic financial sources by increasingly relying on taxation and seeking to raise additional resources by "widening the tax base".

32. Those developing countries and countries with economies in transition which are confronting unsustainable fiscal deficits, unabated debt servicing and declining development assistance will have to endeavour to overhaul the strategies of domestic and external financial resource mobilization through tax and non-tax instruments that are fair and equitable. They should also initiate tax reforms to simplify and rationalize the tax structure. In the area of tax policy, such reforms may involve simplifying the tax system by eliminating relatively low-yielding taxes, broadening the tax base, streamlining the rate structure and reducing the high marginal tax rates. Reforms should also aim at establishing a level playing field, by curtailing special treatments and incentives, reducing the scope for tax evasion and promoting voluntary compliance with tax statutes, enhancing equity, and reducing distortions caused by existing complex and inefficient tax systems. While tax administration reforms are generally associated with the modernization of tax systems and procedures, enhancement of institutional and technical capacities are also of great importance to ensure a more efficient tax administration system. In short, tax reforms should aim at equity, simplicity, transparency and comprehensiveness.

33. In many countries, financial management capabilities have been eroded by the pursuit of financial populism, ineffective and distorted budgetary mechanisms and the breakdown of the existing financial management institutions. A central concern for all countries is how to harmonize methods of strategic management and control of aggregate financial variables with processes for changing expenditure priorities and enabling effective and innovative management of service delivery institutions. It is becoming clear that countries need to reform public financial management since traditional approaches have failed to produce sound, efficient and effective systems of resource mobilization, budgeting and financial management. These changes involve strengthening capacity in three areas: central fiscal policy-making, public expenditure management and accountability, and revenue mobilization.

H. Tapping the potential of e-government

34. Government officials have been increasingly supportive of the use of information technology in public administration, especially in the developed countries, paving the way to what is now commonly known as "e-government". Information technologies (IT) can serve a variety of different ends such as more efficient and timely delivery of public services to citizens, improved interactions with business and industry, citizens' empowerment through access to information, and more effective and efficient government in general. The resulting benefits may include less corruption, increased transparency, greater convenience, cost reduction, and greater citizen satisfaction with government performance. All over the world, countries are taking a more innovative approach in interacting with their citizens, by adapting many of the practices successfully being used in e-commerce.

35. Information systems have greatly improved effectiveness, efficiency and productivity in government in a number of ways. For example, integrated network-based national revenue management systems ensure that information is managed, stored, and retrieved with greater efficiency. They also enable revenue officers to receive cases more quickly and automate and modernize the tax collection process. Furthermore, IT empowers the treasury department to collect taxes more productively, which is a benefit to government and the country. Electronic distribution of government documentation and increasing public access to government information are also being developed very quickly in a significant number of countries. Many Governments have set up web sites and connected databases and information systems to the Internet, thus enabling the public to search, locate, view and download government reports, studies, computer software, data files and databases. IT promotes the sharing of information resources and enables Governments to provide better information services in a cost-effective manner. By improving public access to information, IT has helped to enhance transparency and accountability in government. In the past two decades, IT has also played a major role in helping spread the concept of a more efficient and responsive public sector, based on "service management". Emphasis on this concept has also led to extensive use of IT tools for measuring the effectiveness and efficiency of public services.

36. IT has also produced changes in the modalities of public service delivery. For centuries, the notion that citizens might actively participate in all public affairs and make substantive contributions in policy decisions remained a distant prospect. Now government web

sites, email and other means are turning this into a reality. Electronic polling, for instance, by either public or private institutions, will probably take place in the very near future.

37. State agencies and enterprises in many countries are currently engaged in restructuring their organizations in order to adapt to the new IT environment. In this process, they are removing layers of traditional management, compressing job categories, creating work teams, training employees in multilevel skills, simplifying business processes and streamlining administration. The outcomes of this re-engineering have demonstrated the scope for administration reform and shown that, ultimately, decisions on the pace and extent of such reform depend on the quality of the top management.

38. The recognized potential of information technology in improving government performance has not been effectively tapped in all parts of the world. Many countries are lagging behind in the use of IT in government, in part because they do not have adequate infrastructures and in part because technological penetration is still low. Although there is still a strong and wide digital divide between the connected and the unconnected, rapid advances in many countries are taking place. Governments should continue to promote the use of IT in public administration, and international agencies should help in this endeavour.

I. Fostering partnerships between the State, the market and civil society

39. Efforts for strengthening the State should not undermine the positive contribution the market can make in harnessing the opportunities of globalization for development and in supporting the delivery of services effectively and efficiently. The State and the market are not mutually exclusive, nor are they adversaries. Both need to work as strategic partners in development. In this sense, the market also needs to be strengthened in order to become an effective partner of the State. Experience has demonstrated that strong States and strong markets go hand in hand. Indeed, the major obstacle for development in the least developed countries and developing countries in general is that too often responsibilities are being shifted from weak public-sector institutions to a very weak or almost non-existent private sector. The success of administrative reforms in developing countries should be built on the respective strength of the private sector, civil society, and the State.

J. Strengthening capacity for managing diversity and conflict prevention

40. Governance and public administration systems at the national, regional, and international levels must have adequate capacity to integrate conflict management into their policies and practices. However, until now, conflict management has been directed mostly to societies that are about to slide into violence or that are in the midst of armed conflict. In other words, too much attention has so far been paid to solving conflicts rather than creating appropriate institutions to prevent violence and armed conflicts. In particular, greater emphasis should be placed on strengthening mechanisms of conflict prevention, peaceful resolution of disputes, peacekeeping, post-conflict peace-building and reconstruction. The costs of late intervention are too high, and public administration systems should start investing in strategies to prevent conflict. More effective conflict resolution mechanisms would enable countries to use resources for more urgent needs of an economic and social nature. In order to ensure early prevention of conflict, it is necessary to identify the root causes of violence. Countries should also strengthen consensus-building mechanisms and reinforce the rule of law. Experience has shown that most violent conflicts have escalated due to the lack of appropriate institutions to manage diversity. Weak States, including weak judicial systems, and national administrative systems that are not well equipped to manage social, cultural and political diversity are responsible for not providing the conditions for conflict resolution. As a consequence, managing diversity is becoming a major challenge for public administration in development. This challenge will most probably increase with time, due to several factors, including migration, social and cultural cross-fertilization and the fact that societies are becoming more diverse rather than homogeneous in composition. Therefore, Governments need to develop the appropriate capacities for early warning, conflict prevention and long-term peace-building. The longer-term solution is that administrative systems encourage the development of mediation and negotiation skills, as well as foster a culture of dialogue and participation at all levels of the political life.

K. Promoting international cooperation and regional integration

41. To face globalization, Governments have forged new regional alliances and promoted closer integration with States that share similar historical, cultural and economic backgrounds. Regional integration is proving to be useful in the areas of collective security, economic cooperation, and legal harmonization. Many countries maintain close ties with neighbouring and other States. Whether for economic and commercial purposes, administrative convenience or political alliances, regionalization is gaining ground. Thus, Governments are striving to adjust their administrative structures, policies and practices to the requirements of regional intergovernmental organizations. In order to be effective partners in such organizations, developing countries should seek to not only upgrade the skills but also change the attitudes of public servants in a number of areas. Fostering negotiating skills, promoting the study of languages, enhancing the knowledge of international law and regulations are among the most important ingredients for success in a globalizing world.

IV. Lessons learned

42. The weight of the available evidence strongly suggests that, in the past two decades, many developing countries and countries in transition have been victims of advice on policy decisions which, in the last analysis, bore very little relevance to their particular circumstances and needs. In contrast to the strategies pursued in prior years, such policy prescriptions de-emphasized the role of the institutions of government, which they portrayed in essentially negative terms, as obstacles to growth and the process of globalization. This negative view of the State went in tandem with attacks against the public service sector. What can we say of the outcomes? There have been reported successes, mostly in the North and West, but also stories of failures in many developing countries and countries in transition. The characterization of the 1980s as "the lost decade" and of the 1990s as a "mixed bag at best" gives the measure of the distance between expectations and outcomes.

A. Enhancing countries' ownership of reforms

43. Preliminary findings embodied in this document give only a partial picture of what is clearly a highly complex, prismatic situation worldwide. However, the weight of available evidence points to a convergence of views on certain salient features of past approaches and measures.

44. First, a rather dogmatic and technocratic approach, which failed to take into account the complexities of particular national circumstances, overemphasized one facet of reform over all others (e.g., cutback management). Now widely criticized as "reductionist", this approach took for granted a measure of convergence of managerial cultures which appears, in retrospect, somewhat unrealistic. It correspondingly pressed for "the one best way" solution which earned it the description: "one size fits all". The Group of Experts on the United Nations Programme in Public Administration and Finance, at its fifteenth meeting, "expressed strong scepticism about 'one size fits all' solutions, and emphasized the importance of customized approaches to meet the diverse needs of individual countries".[1] The Group also observed that "an overly technocratic or purely economic growth approach to institutional development divorces the institutional strategy from the socio-economic and political environment which it is meant to serve".[2]

45. Secondly, a related criticism has faulted the relationship between recipient and donor countries. Contrary to the officially accepted doctrine, too many programmes proved to have been supply-driven. In all too many cases, accordingly, reforms have been externally induced. Too often, as a result, style has invaded substance, and programmes were concerned with "quick fixes" rather than long-term progress.

46. The lessons of experience strongly point to the conclusion that, for reforms to be successful and, accordingly, aid programmes to produce "user-friendly" results, they must clearly be home-grown, demand-driven, internally consistent and duly coordinated at the national policy level.

47. It has become apparent that the design and conduct of programmes of reform require the steady involvement of competent national teams. The nationals must be in the driver's seat. Main policy decisions cannot be "outsourced" to consultants, no matter how good they may be. However well intentioned and technically accomplished, foreign advice must stay within the bounds of counselling and guidance. Overstepping that limit is both counter-

productive and dangerously short-sighted. Carried too far, it undermines the confidence of peoples in their respective Governments and institutions. Democracy is "hollowed out" and accountability lost when citizens conclude that their elected Government has lost control of events.

B. Making democracy meaningful: the need for a strong, strategic and democratic State

48. Experience demonstrates that "hollowing out democracy" leads to public cynicism, apathy and alienation. Often this is the outcome of "hollowing out the State". It has been suggested that States face "loss of power and autonomy" and that over the next century, state sovereignty and the systems of democracy and accountability will have to pass to new forms of "global agency". Until that happens, however, what we call "the nation State", which is different today from half a century ago, is the best instrument we have at our disposal to accomplish our purposes in democratic ways.

49. The State is indispensable to democratic governance. It has been pointed out, however, that several of its tasks cannot be carried out, as in the past, in a centripetal fashion out of the national capital. Important functions of government have been devolved on the subnational level and, more importantly, major decisions of government are taken in the framework, or subject to provisions, of intergovernmental regimes (e.g., World Trade Organization) and supra-national bodies (e.g., European Union). As the Group of Experts has aptly pointed out, this situation makes major new demands on Member States of the United Nations, for which developing countries and countries in transition are often ill-prepared. Indeed, it may be argued that the capacity deficit — that is to say, the distance between what countries have and what it takes to make them well-functioning democracies and effective players on the international scene — is one of the main causes of the crises plaguing the world.

C. The State as the linking pin of governance

50. One of the principal findings and messages of this analysis is that we need the State, but that the State, increasingly, will function on three levels:

(a) The national, or central government, level;

(b) The subnational level, as a result of a process of devolution of functions to local government structures, or even non-state actors operating within bounds established by the State and under its supervision;

(c) The international level, where an entire edifice set up for global governance is slowly taking shape but is clearly underpinned by nation States and driven by the initiatives which they deploy.

51. Increasingly the State is called upon to serve as a "linking pin" of these three levels, to harmonize and coordinate activities and processes involving diverse actors, governmental and non-governmental, national and international, with interests and agendas that may differ substantially. A strong supportive centre within each nation State represents an essential prerequisite of two dimensions: domestic peace, tranquillity and socio-economic development and progress on the path to decentralization, deregulation and debureaucratization; and international cooperation in ways that bring prosperity not only to a minority but to the great majority of the world's population.

52. It is essential to develop the concept of a "strong strategic State", which is the antithesis of "bureaucracy" and "big government". The stress is fully on quality, integrity and equity rather than volume or quantity. The concept emphasizes leadership, empowerment, example, motivation, discussion, negotiation, accommodation and conciliation, rather than "slash and burn" and similar top-down command approaches. To raise performance levels in this regard, special emphasis should be given to professionalism and capacity-building or capacity-reinforcement of government.

V. An agenda for capacity-reinforcement and the role of the United Nations

53. In resolution 50/225 the General Assembly identified priorities for United Nations activities in the area of public administration and development. Following the resumed fiftieth session of the General Assembly on public administration and development (April 1996), the Group of Experts adopted a number of specific recommendations on follow-up actions. By its decision 2000/231 of 27 July 2000, the Economic and Social Council endorsed the recommendations contained in the report of the Secretary-General on the work of the Group of Experts at its fifteenth meeting

(E/2000/66). The most important and relevant activities, which deserve to be further pursued and enhanced, are highlighted below.

A. Advocacy

54. The importance of drawing attention to emerging issues, analysing their potential scope and consequences and highlighting policy options cannot be underestimated. Through its ad hoc expert group meetings, seminars, conferences and publications, the United Nations system highlights these emerging issues for the benefit of both developed and developing countries. At the dawn of the twenty-first century, the world is going through changes that affect everyone intensely but in different ways. A multifaceted process, globalization has produced a measure of convergence in policies and practices but also growing disparities in certain other areas. Diversity of predicaments and clashing trends produce conflicting perspectives. The United Nations should be acutely aware of such plurality of views and of the fact that only a few so far have been accorded a hearing. The goal is to secure a more balanced debate, one that brings together viewpoints from all the world's main regions, search for complementarities, try to understand differences and hopefully produce some useful recommendations for future action.

55. Traditionally, this has been the role of the Group of Experts on the United Nations Programme in Public Administration and Finance. Although its recommendations are regularly reviewed by the Economic and Social Council, its weak link with the Council has not lent it the support needed to speak with authority on the multifaceted relations between public administration and economic and social development, which are of concern to the world community at large, but especially the developing countries and countries with economies in transition.

56. One of the signal developments identified in resolution 50/225 is what may be described as the globalization of major issues in governance and public administration. These matters, which until recently were generally considered to be the exclusive domain of sovereign States and, thus, unfit subjects for international forums (e.g., corruption), are now being debated openly among the representatives of Member States. This change of public opinion reflects a growing sense that progress in some areas can only be the result of international action. This should become the role of a standing advisory body of experts and practitioners from the world's main regions, who can provide the Economic and Social Council with authoritative advice on current issues and trends in public administration and finance.

Restructuring and revitalizing the Group of Experts

57. In recommendation 4, adopted at its fifteenth meeting, the Group of Experts took the view that its relations and interactions with the Economic and Social Council should be greatly reinforced and that the deliberations of the Council on matters concerning economic and social development could greatly benefit from the input of the Group of Experts. To make this more effective, the Group recommended that the Council review the status and reporting arrangements of the Group of Experts.[3]

58. Pursuant to the aforementioned recommendation, and in order to assist the Economic and Social Council in carrying out the review process, the Bureau of the Group of Experts, in consultation with the Secretariat, reflected on various options available within the framework of the Council's subsidiary bodies, taking into account the recent measures adopted by the General Assembly and the Council for the restructuring and revitalization of the United Nations in the economic, social and related fields.

59. The reflection was conducted against the background of the current terms of reference and status of the Group of Experts. By its resolution 1199 (XLII) of 24 May 1967, the Council decided that the United Nations programme in public administration should be reviewed from time to time by a meeting of experts and that the report of the meeting should be submitted to it for consideration. The Group is currently a subsidiary body of the Economic and Social Council. Experts come from countries in different stages of development, at the invitation of the Secretary-General, and serve in their individual capacities. The Group of Experts generally meets every two years for one or two weeks. The Council is appraised of the Group's work through a report of the Secretary-General.

60. Bearing in mind the growing importance of governance issues for the development process, the reflection addressed ways, on the one hand, to enhance the effectiveness of the work of the Group of Experts and its impact on the intergovernmental deliberations

on economic and social issues and, on the other, to reinforce policy guidance by the Council and coordination with other subsidiary bodies, in particular regarding the follow-up to major United Nations conferences.

61. Since these were among the considerations that led to the changes recently introduced by the Economic and Social Council, in its resolution 1998/46, in respect of the Committee for Development Policy, the Council may wish to consider a similar approach in relation to the Group of Experts.

62. Thus, the composition of the Group, while continuing to comprise experts serving in their personal capacity and being nominated by the Secretary-General, could be the subject of consultations with interested Governments and be approved by the Economic and Social Council. The membership could be patterned after that of the Committee for Development Policy (which has 24 members) and should reflect an appropriate geographical and gender balance and be drawn from the interrelated fields of public economics, public administration and public finance.

63. If the terms of office of the experts were to be of three years, as is now the case for the Committee for Development Policy, annual meetings for a period not exceeding five working days would provide for the necessary continuity and focus and would facilitate enhanced interaction with the Economic and Social Council and its subsidiary machinery.

64. To the same ends, provision might be made for the Council to give guidance on the work programme of the Group of Experts so as, inter alia, to enhance its impact on the work of intergovernmental machinery in the economic and social fields. To support the Council in this task, the Group could submit its proposals on its work programme for examination and approval by the Council. The Group would adopt its report at the end of its session and would submit its report directly to the Council at its substantive session.

65. The General Assembly, the subsidiary bodies of the Economic and Social Council and the Secretary-General could also propose, through the Council, issues for consideration by the Group of Experts.

66. One way of projecting the renewal of the Group of Experts and the greater development orientation being sought might be to rename it "Committee on Public Administration for Development".

B. Building common understanding

67. The global diversity of practices, cultures and viewpoints only serves to reinforce the need for building consensus on core issues of importance and for building networks to facilitate debate among state institutions. Although national considerations are essential ingredients of administrative systems of each country, commonly recognized principles and guidelines have been developed, such as guidelines on electoral integrity and administration; charters of civil service; codes of conduct for public employees; public accounting and auditing standards. The United Nations, through the work of a revitalized Group of Experts and the Economic and Social Council, could play a key role in this area, due to its universality and neutrality. This is a developing area that has the potential to expand.

68. For example, the African Ministers of Civil Service, with the technical support of the Department of Economic and Social Affairs, drafted and adopted a charter for the African public service, which:

(a) Defines a framework to guide the public services in Africa in taking such legislative, regulatory, technical and practical measures as may be required to create propitious conditions for the proper functioning of the public service and improve the quality of its services;

(b) States and defines the principles and rules of conduct for public service and State employees, who shall foster a neutral and stable environment conducive to the strengthening of ethical values and the image of the public service, as well as the professionalism of its employees;

(c) Expresses the will of African States and underscores their political and moral commitment to improve the services provided to citizens and ensure the efficient use of the resources allocated for such services.

69. In this connection, the Economic and Social Council endorsed recommendation 8 of the Group of Experts that "serious consideration be given to expand on the work already done by the African ministers of public service, and consider drawing up a United Nations model charter of public service".

70. To ensure that the revitalized Group of Experts and the Council can work to full capacity and have at their disposal the wealth of information on public sector data and global trends on which they can establish, develop and articulate an informed opinion and advice, research and analysis bodies should command the full support of a competent research team and related secretariat. Much needed is a systematic study of current trends and policies, which would greatly assist the quest for strategies and methods of reform more appropriate than those already tried in the past. The United Nations, first in the field and sponsor of arguably the oldest programme of technical cooperation in public administration and governance, is well positioned to put it into effect.

C. Information-sharing and exchange of experiences

71. Access to reliable and up-to-date information on the part of Governments embarking on public administration reform is an essential component of sound decision-making. The United Nations system should enhance its capacity to collect, organize and disseminate information in public administration. The United Nations Online Network in Public Administration and Finance (UNPAN) is a powerful tool, made available to Member States for instant access to information (see annex below). The capacity of UNPAN to link regional organizations of public administration in an interactive network of exchange should be expanded to encompass national institutions and key national policy-making organs, such as ministries of public administration.

72. In recommendation 14, the Group of Experts fully supported and endorsed the plan of action of the development dividend project of UNPAN as a mechanism for cooperation utilizing information technology in this field. It stressed the need to deepen the impact of the project by strengthening the capacity of national ministries and national schools and institutions of public administration in developing countries and countries in transition to access data, information and training through information technology.[4]

73. Information is to decision makers as oxygen is to living organisms. Decision makers responsible for taking decisions affecting the structure and functioning of public administration benefit greatly from direct exchange with their counterparts on difficulties encountered, successes and failures and on specific implementation modalities. The United Nations system should continue to facilitate these contacts and exchanges through the organization of meetings and forums in which policy makers and high-level officials participate. In this regard, the Economic and Social Council endorsed the recommendation of the Group of Experts that "the United Nations establish appropriate mechanisms to provide the opportunity for ministers and/or high-level officials of Member States responsible for public administration to meet periodically to discuss themes of common interest and exchange experiences".[5]

D. Building strategic capacities and essential skills

74. There can be little doubt that giving democracy meaning and raising the level of competence in governance begin with the reinforcement of the capacity of States to meet the needs and expectations of their citizens. Other than human rights, which are universal by nature, these needs and expectations are not the same throughout the world. Rather, they are a function of culture and circumstance. Precisely on this account there is an urgent need to build leadership skills and strategic capacity for the design, conduct, monitoring and evaluation of reform programmes in all developing countries and countries with economies in transition.

75. In this age of globalization and rapid advances in science and technology, there will always be a need for foreign expertise and specialized assistance. However, what is necessary for developing countries and Governments in general is to have at their disposal and under their command the necessary knowledge, know-how and a range of skills that will enable them to:

(a) Intervene proactively on the national, subnational and international levels;

(b) Design, implement and evaluate effective national policies;

(c) Conduct the consultations and negotiations needed at both the international and the subnational levels in order to elicit, articulate, promote and defend the public interest;

(d) Help establish and consolidate peace both nationally and internationally and play their part as members of the global community effectively.

76. The United Nations can and should help with policy advisory services. In the area of public administration, reforms and initiatives are closely linked to national circumstances. Sound policy advice, however, can provide national authorities with policy options, which can subsequently be internalized into national strategies and programmes.

77. Human resources development constitutes the driving force of all institutions in all decision-making processes. The United Nations system should, therefore, step up its action to develop the human resource base of public administration of developing countries and countries in transition. The network established for UNPAN could offer a model for regional cooperation among Member States in the development and refinement of those core skills, with the help of modern training technology. Activities should focus on the development of competence in such areas as public policy planning and development; programme management; human resources management and development; management of money, equipment, technology and information; and performance measurement, monitoring and evaluation.

78. In order to bridge the digital gap, at a time when information and communication technology permeate all facets of life, including public administration, the United Nations should devote specific efforts to enable Governments to tap the potential that ITs have for the functioning of public administration, for the delivery of services and for enhancing relations with citizens. The results already achieved through UNPAN should be multiplied by developing initiatives aimed at connecting national public administration authorities with the most up-to-date technological advances. The role of modern technology in modernization is crucial. However, it is idle to pretend that technology has all the answers and can produce results without appropriate training of personnel and reinforcement of core values. Moreover, it is the structural reforms in the machinery of government and the work organization in the agencies of government that would allow technology to yield its full potential.

E. Reinforcing core public service values

79. A recent United Nations publication, entitled *Public Service in Transition: Enhancing its Role, Professionalism, Ethical Values and Standards* (ST/ESA/PAD/SER.E/77), contains analytical papers regarding the ethics of public service. According to it, the core public service values include:

(a) Revaluation of learning, integrity and competence;

(b) Stress on the merit system, with due regard for affirmative action in favour of historically or otherwise disadvantaged groups;

(c) Growing sensitivity towards and respect for citizens' needs;

(d) Low tolerance for laxity, corruption and crime;

(e) Increasing recognition of the need to acknowledge and reward industry, loyalty, accomplishment and merit;

(f) Increasing recognition of the value of the neutrality of civil servants and of the need to secure a degree of autonomy in public personnel management and freedom from extraneous pressures, in order to safeguard high quality performance, motivation, integrity and professionalism in the public service.

80. At its fifteenth meeting, the Group of Experts called for "the proclamation of a United Nations public service day to celebrate the value and the virtue of service to the community at the local, national and global levels, with prizes to be awarded by the Secretary-General for contributions made to the cause of enhancing the role, prestige and visibility of public service"[6]. This recommendation reflects the important changes that have taken place and transformed the landscape of public administration. It reminds us, moreover, that management technologies need to be infused with values that serve the public interest.

F. Providing assistance in institution-building

81. It is idle to pretend that such values can be established and fostered without any regard to the political, social and cultural environment in which a public service operates but — also and most importantly — without appropriate structures, legislative and policy frameworks designed to attract, retain, develop and motivate the needed men and women, using their skills productively and effectively. Assisting developing countries and countries in transition in building or refining these structures and policy frameworks is an urgent priority and a strong recommendation of the present report.

82. Helping developing countries and countries in transition confront the pressing challenges of globalization must also encompass programmes designed to enhance capacity in coping with diversity, complexity and change. The need is institutional, in other words, it requires the crafting or fine-tuning of structures for consultation, mediation and policy coordination. It also manifests itself in the new profile needed for senior policy advisers and public senior managers. At the local, national and international levels, both policy advisers and senior public managers are increasingly faced with the demanding tasks of reconciling differences, mediating disputes, resolving thorny conflicts, negotiating agreements and trying to build consensus in a volatile environment where differentiation takes on a variety of forms. These include diversity of cultures, ethnicity, language, religion or ideology; diversity of political, legal and economic systems; and diversity of conditions, interests and viewpoints.

83. The above are all compounded by an enormous range of fields of specializations that go into policy-making and policy implementation. These challenges require States and other players on the international scene to strengthen their capacity for long-term policy planning, concertation, consultation and coordination. They call for institutions and competencies needed to handle negotiations on multifaceted issues of considerable complexity. The international community, the United Nations especially, can play a major role in this respect through policy advisory services, targeted training programmes and information exchange. Its task is really twofold:

(a) At the level of States, it needs to cooperate with developing countries and countries in transition in building the capacity to provide democratic and more effective governance and to be more active players on the international scene;

(b) At the international level, it needs to cooperate with all States as well as non-governmental organizations and other non-State actors in improving, modernizing and fine-tuning the machinery for global governance.

G. Improving coordination of development assistance

84. The road map outlined above makes it more imperative than ever that initiatives and programmes aimed at assisting Member States to reform their institutions and their administrative systems be part of a coordinated and coherent strategy. Much too often, well-meaning multilateral and/or bilateral agencies have sponsored piecemeal and at times contradictory assistance programmes.

85. In the field of governance and public administration, when uncoordinated efforts are coupled with special requirements or conditionalities, they further weaken the ability of the recipient countries to master and internalize the process of reform.

86. Following the provisions of resolution 50/225, the United Nations system has taken numerous steps to enhance coordination in this area, as highlighted in the previous report of the Secretary-General on the subject (A/53/173). A new strategic partnership has been forged between the Department of Economic and Social Affairs and the United Nations Development Programme in the broad area of governance and public sector management. The purpose of the partnership is to ensure that the two bodies are mutually supportive in this field, operate in a complementary and non-competitive manner, reinforce their respective mandates and activities and eliminate duplication of efforts.

87. Similar partnerships are being developed between and among agencies active in this field. The challenge now lies in extending such coordination to non-United Nations organizations and the other development assistance actors. The Economic and Social Council could play a crucial role in further promoting coherence of action in development assistance in public administration.

VI. Conclusion

88. The five years since the adoption of General Assembly resolution 50/225 have witnessed the multiplication of important reforms in many countries along the lines defined by the General Assembly. An important lesson that has emerged is that administrative and management reform is a continuous and multifaceted process. The rapid changes in today's world require the adaptation of institutions and systems to this ever-changing environment. In the present report, special emphasis has been placed on the need to assist developing countries and countries with

economies in transition in reinforcing their capacity to govern.

89. The report explores the nature of capacity-building in tandem with the concept of the strong strategic State. It defines capacity-building or capacity reinforcement as the needed coefficient of three interrelated and mutually complementary pursuits: institution-building; human resources development; and technological adequacy.

90. The capacity to manage continuous reform and change in an orderly fashion should become a key component of capacity-building efforts. The guidance provided by the Economic and Social Council and the General Assembly, in conjunction with the resumed fiftieth session of the General Assembly on public administration and development and its follow-up, has proved to be crucial to Member States in this continuous and multifaceted process of reform. It is essential that the General Assembly and the Economic and Social Council continue to provide policy guidance in the forms they deem most appropriate to help Member States to maintain the momentum gained, consistent with the "road map" for the implementation of the Millennium Declaration.

Notes

[1] E/2000/66, para. 73

[2] Ibid., para. 48.

[3] Ibid., para. 7.

[4] Ibid., para. 17.

[5] Ibid., para. 8.

[6] Ibid., para. 6.

Annex

United Nations Online Network in Public Administration and Finance (UNPAN)

The Department of Economic and Social Affairs of the United Nations Secretariat, following the mandate provided in General Assembly resolution 50/225, developed the United Nations Online Network in Public Administration and Finance (UNPAN). UNPAN is designed to establish an electronic portal linking online regional and national institutions devoted to public administration and finance for information exchange, experience-sharing and on-the-job training in the area of public-sector policy and management. Its long-term objective is to build the capacity of those regional and national institutions to access, process and disseminate relevant information via up-to-date information and communication technologies for the promotion of better public administration.

UNPAN offers: a far-reaching access to experiences in the practice of public policy development and management at the international, regional, national and local levels; capacity-building and South/South cooperation in information and knowledge management; and a demand-driven and interactive two-way information network. Most significantly, UNPAN is a dynamic process, and not a static outcome, which aims at responding continuously to the needs of its users in their most critical areas of work.

UNPAN's beneficiaries are government agencies, public administration regional and national institutions, the private sector and non-governmental organizations. Its main themes are: public economic policy; governance and institution-building; civil service and public sector reform; management innovation and development; and public finance. It provides five major online services/products, including information; training; technical advisory services; conferencing; and worldwide directories.

UNPAN is executed and managed by the Division for Public Economics and Public Administration of the Department of Economic and Social Affairs in close partnership with some 15 international and regional institutions in public administration and finance, representing all regions of the world.

The UNPAN online network may be accessed at http://www.unpan.org.

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Report of the Secretary-General

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I. Introduction

1. Pursuant to General Assembly resolution 53/201 of 15 December 1998, the Secretary-General, in a note verbale dated 28 February 2001, invited all Governments to communicate to him information on the actions they have taken to implement the relevant provisions of General Assembly resolution 50/225 of 19 April 1996 on public administration and development and recommendations of the Group of Experts on the United Nations Programme in Public Administration and Finance at its fifteenth meeting (E/2000/66).

2. In order to facilitate the preparation of national submissions for the five-year assessment report on the progress made in the implementation of General Assembly resolution 50/225, the note verbale of the Secretary-General enclosed a questionnaire for government officials responsible for public administration. The questions addressed to Governments were based on the provisions of General Assembly resolution 50/225 and recommendations of the Group of Experts that required action at the national level.

3. As at 25 June 2001, 11 States, namely, China, the Czech Republic, Indonesia, Morocco, Oman, Panama, Poland, Portugal, Slovenia, Tunisia and the United Kingdom of Great Britain and Northern Ireland, had replied to the note verbale of the Secretary-General. Information received from those Governments in response to the questions posed to them is summarized below. Any additional replies will be posted at web site *http://www.unpan.org/dpepa.asp* and will be accessible through the United Nations Online Network on Public Administration and Finance (UNPAN).

II. Replies to the questionnaire for Governments on the implementation of General Assembly resolution 50/225 on public administration and development

A. Question 1. *Describe current trends, existing challenges and emerging issues that confront your Government in the field of public administration and development.*

China

Since the 1980s, the Chinese Government launched three organizational reforms: in 1982, 1988 and 1993, respectively. The fourth organizational reform, which started in 1998, has basically been completed at the central level, that is, the State Council, and is now being implemented at the level of local governments. Carrying out of organizational reforms at appropriate times is a major strategic measure adopted by the Chinese Government in a period of change. China's reform process has played an extremely important role in its opening up to the outside world and in its modernization drive.

Czech Republic

The ongoing public administration reform in the Czech Republic comprises three basic elements:

(a) **The reform of territorial administrative divisions**. At the beginning of 1990, it became apparent that the distribution of administrative power within the country required a fundamental change. The first step was decentralization (i.e., re-establishment of local governments) and the abolition of the so-called national committees (local, municipal, district and regional). The municipality became the basic unit of local government, a public law entity with its own property and funds. The next step was to create the system of regions as the "medium tier" of public administration. Following an extensive parliamentary debate, the legislators opted for the so-called "comprehensive model" (i.e., one territorial unit for both state administration and local government functions). An outstanding issue to be resolved in the near future is the funding of regional authorities. Otherwise, the relevant legislation is in place and the first elections to regional councils were held in 2000. On the whole, the decentralized system is working well. The problem area is the excessive number of municipalities (6,259), mostly with low population levels (almost 5,000 municipalities have less than 1,000 inhabitants), which may hamper the functioning of the whole system. The preferred solution is to encourage cooperation among municipalities so that mandatory unification will be avoided. Full utilization of information and communication technologies, namely the Internet, will also significantly improve the work of local authorities;

(b) **The reform of the central state administration**. One of the main problems in this field is the lack of horizontal coordination. Accordingly, the current policy is to reinforce the coordinating role and competences of the Government Office. An important related aspect is the ongoing regulatory reform, seeking to improve the legislative processes (public consultations, regulatory impact on businesses) and institutions (establishment of independent regulatory agencies);

(c) **The reform of the functioning of public administration**. The objective is to introduce new management methods, to promote efficiency, cost-effectiveness and supervision. The priority tasks are the training of public servants and full utilization of information and communication technologies. The Civil Service Bill, currently in Parliament, emphasizes independence and professionalism of civil servants and seeks to eliminate political influence. A closely related process is the judiciary reform initiated in 2000, which includes plans for the establishment of administrative courts.

Indonesia

Indonesia has recently embarked on a most important stage in its political development by successfully embracing democracy through a general election. In that historic process, the economic and political reforms, as well as the reforms in public administration, have been taking place. While progress has already been made as a result of these reforms, serious challenges still remain and must be addressed. This is especially true in responding to the current development challenges due to the economic, political and social crises that have besieged Indonesia over the last four years. As Indonesia is in the process of becoming a fully democratic nation, the Government is aware of the potential dangers that the nation risks. A core challenge is to combat the practices of corruption, collusion and nepotism in government and corporate bodies. Another major objective is to curb the excessive crisis of the poor. The highest priority of Indonesia is to maintain the unity of the nation while at the same time combating the economic crisis so that Indonesia can regain stability on its path to economic, political and social development.

Morocco

The Moroccan administration has undergone numerous reforms over the past decade in response to important political, economic and social developments. Given these developments, the reforms of the country's political institutions can yield results only to the extent that the State has a modern civil service that is capable of meeting the new challenges. These include:

(a) **Economic challenges and globalization**. In an economic environment in which change is now the norm, the administration must adapt its mission and structures to the new role of the State, which is to moderate the impact of trade liberalization policies and globalization and to help improve the performance of the national economy;

(b) **Social challenges**. The administration is required to play an increasingly important role in promoting social cohesion by guaranteeing equality of opportunities for all citizens, combating social inequalities and protecting the most vulnerable groups;

(c) **Political challenges**. Protecting the rights of citizens in their relations with the civil service is a long-term effort. Even changing the nature of the relationship between citizens and the civil service is in itself a major challenge for the civil service, since such change depends on the capacity of the civil service to promote in its day-to-day functions the values of ethics and transparency, equity and respect for the law;

(d) **Technological challenges**. Mastery of information management technologies and services to enterprises and citizens represents a major challenge for the Moroccan administration.

In response to the above challenges, the Ministry of the Civil Service and Administrative Reform of the Kingdom of Morocco identified the following objectives:

(a) **To redefine the role and mission of the civil service**. The challenges of this era of globalization, the need for decentralization and devolution, expressed both by local authorities and by the population, and for strengthening of the foundations of the rule of law are all arguments for re-examining the role and mission of the State and, consequently, for modernizing its modus operandi;

(b) **To contribute to national economic recovery**. The economic policy which the Government intends to pursue in the years ahead is geared primarily towards economic recovery through private investment, which remains in the medium- and long-term the main vehicle for generating economic growth and employment. From this perspective, support for private enterprise requires qualitative reform, in which public administration has an important role to play. To this end, the following measures will be taken: full implementation of the investment charter; definition of a legal framework to enable enterprises to benefit from a number of special advantages under agreements to be concluded with the State; streamlining procedures to provide investors with easy access to services; and completion of the reform of procedures governing procurement contracts;

(c) **To ensure respect for the rights and freedoms of citizens**. The civil service must be at the service of citizens and guarantee the rights and freedoms of individuals and legal entities. It must therefore be:

(i) **Easily accessible**. The Government is committed to a policy to promote decentralization and devolution (a draft revision of the community charter and draft decree on devolution will shortly be subjected to the procedures for adoption);

(ii) **Respectful of the law**. To this end, the Government will take the necessary measures to ensure that all branches of the civil service respect the principle of legality and abide by the decisions of the courts without reservation;

(iii) **At the service of the public**. The administration is committed to the elaboration of a rigorous policy of streamlining procedures and rationalizing working methods so that citizens would have easy access to information;

(d) **Human resources development**. The objective here should be the elaboration of a genuine strategy to develop the human potential of the civil service. To this end, a modern, effective and planned system for the management of personnel, posts and careers should be introduced in order to maintain consistency between the evolving tasks of the civil service and the qualifications and mobility of civil servants. In addition, special emphasis should be placed on continuous training and advanced training as instruments for the development of human resources and for ensuring high levels of productivity and performance.

Oman

The period from 1996 to 2000 falls within the fifth five-year development plan adopted by the Government of Oman for the implementation of development projects, in the forefront of which is administrative reform. This period witnessed the implementation of many important projects in the various fields of administrative reform and human resources development and they represent achievements that complement those of the previous five-year plans. At the end of this phase, Oman has made great progress in providing citizens with basic services of all kinds, such as those relating to education, health, housing and environmental protection, at a high level of efficiency and in a manner consistent with the latest developments at the international level. In doing so, it has benefited from successful experiences in the developed countries, from theoretical and field research and from the studies published by a variety of specialized organizations, principally the United Nations, while taking into account the particular characteristics of Omani society and of its actual needs and capacities. Oman has joined the ranks of the best organized developing countries from the point of view of administration, and for this it has received the commendation of respected international institutions. The admission of Oman as a member of the World Trade Organization is another indication that the country's experience in fields relating to globalization and a free economy has matured. This achievement also coincides with the maturing of Omani experience with respect to judicial matters and the enactment of decrees and laws regulating the judicial system at the domestic level. At the international level, Oman has signed the Rome Statute of the International Criminal Court and is cooperating with other Member States in the efforts to complete the process of establishing the Court, thus affirming the principle of the rule of law. The achievements of the past three decades in Oman, since the beginning of the resurgence brought about by His Majesty Sultan Qaboos Bin Said when he took over the reins of government, have been the fulfilment of the pledge given by the country's great leader in 1970 to establish a modern government. This pledge has become a tangible reality.

Panama

Public administration is the most important means available to the State to carry out the political, economic and social objectives necessary for a society in constant transformation. It must therefore be able to adapt to the changes required in order to incorporate the instruments, structures, systems, technologies and other procedures needed for the promotion of the country's development. On that basis, the Republic of Panama has undertaken a range of actions aimed at achieving efficiency in the public, business and labour sectors.

Poland

The economic reforms undertaken in Poland in 1990 were aimed at stabilizing the economy, putting the public finances in order, conducting sound monetary policy, unleashing market forces and implementing long-term structural reforms. One of the most important features of these reforms was reshaping the structure of government, its role and functions, and its financing methods, so as to align them to the requirements of a market economy and the country's democratic framework. In this regard, the main challenges were: to redefine the scope of the public sector by restructuring and privatizing loss-incurring public enterprises; to carry out important reforms in the pension, health and education systems by combining fiscal sustainability with adequate benefit levels and higher service delivery quality; and to implement reforms for improving public sector administration, including measures to ensure greater responsiveness to local concerns, upgrade the capacity of public administration, establish sound public finances, reduce red tape, ease bureaucratic regulations and combat corruption.

From the economic point of view, Poland is seen as one of the most successful transition economies. The success comes from a well-orchestrated combination of sound financial policies and perseverance in structural reforms. The steady economic expansion of Poland has been underpinned by several waves of structural reforms. Policies of price and trade liberalization in 1990 were followed by large-scale privatization and market deregulation, and the launching in 1998 of important structural reforms related to public finances, public administration, pensions, education and health care. Over the past several years, the Polish economy has been expanding at an impressive annual rate of 5 to 6 per cent. This growth reflects the dynamism of the private sector in manufacturing and services, as opposed to the mediocre performance in agriculture and the dismal results in a number of public enterprises in mining and heavy industry.

Portugal

The current trends and challenges concerning Portugal's public administration and development manifest themselves in the efforts of successive Governments, on the one hand, to make public administration more efficient, effective and productive, with better quality and focus on meeting the citizens' needs and improving the levels of development, and, on the other hand, to strengthen the democratic society by promoting greater justice and fairness. These goals have prompted the following initiatives:

(a) Strengthening citizenship to ensure democracy by reinforcing protection and security of citizens; adopting a new kind of relationship between security forces and citizens through the participation of local and municipal police agents, making justice more efficient and bringing it closer to the citizen; promoting equal opportunities for everybody; modernizing and debureaucratizing public administration; furthering administrative decentralization by transferring powers and competencies from the central to the local administration; and carrying out policies against social exclusion;

(b) Upgrading people's qualifications in order to promote employment quality and progress towards the information society by improving the educational sector development; ensuring cooperation between formal education, training and professional valuation by providing everyone the opportunity to have access to education and training; implementing scientific and technological policies that benefit the country's development;

(c) Strengthening social cohesion, implementing a new generation of social policies and promoting the health sector reform as a major priority of social development policy; proceeding with social security reform with a view to the sustainability of social systems and the positive differentiation principle, i.e., to help the underprivileged; ensuring basic social rights by fostering, above all, the inclusion of underprivileged fringe groups; and carrying out the new policy on drugs and drug addiction;

(d) Creating the necessary conditions for the development of a modern and competitive economy by stimulating the competitiveness of businesses through medium-term economic development strategies; intervening in specific modernizing and organizational fields in the various sectors and undertakings, in order to improve their global environmental performances within a sustainable development of the economy; fostering sustainable development in rural areas, including the environmental, economic and social aspects; and adopting a new economic policy profile adjusted to the globalization of markets and technologies and the growth of the new economy of information and communication technologies.

The current policy concerning the organization and functioning of the State and public administration has been and will be guided by a central preoccupation: to foster a closer relationship between the State and citizens and to modernize public administration in order to provide efficient services to citizens and economic agents. Pursuant to this goal, measures were designed to support: the political system reform; the territorial reorganization of the State administration; a public administration closer to the citizens; the administrative modernization, debureaucratization and simplification of administrative acts and procedures; the rationalization and improvement of public management; better quality of public services; the participation of and feedback from users of public services; the promotion of use and expansion of information technologies; the modernization of public management; the renewal and re-qualifying of human resources; and the management of public service.

With a view to strengthening the State capacity to promote and support economic and social development, it was deemed necessary to fully adopt a new paradigm of public administration that favours flexibility in management, decreases hierarchical levels, increases autonomy of decision-making, ensures participation, promotes results, integrates evaluation and control and puts itself at the service of citizens and economic and social agents in the public interest. In the process, attention was paid to the following measures: in-depth evaluation of the effects of the information society on public administration as an important means to encourage modernization, specifically by implementing the Government's programme "Iniciativa Internet"; a programme of online services designed to deal with requests for civil, commercial and real estate certificates; a certification procedure of the quality of public services; a series of new one-stop shops ("*Lojas do cidadão*") all over the country; a programme of human resources management and development in the public service; and the integration of a gender perspective in all sectoral public policies by using the relevant methodology to ensure equal opportunities between men and women.

Another challenge concerns the empowerment and advancement of women in Portuguese society, particularly in the area of public administration, in which the number of women in top positions has been growing in the last two decades. With a view to increasing women's participation in political life, a regulation was proposed aiming at implementing equal opportunity rights for men and women; thus, it was established that the lists of candidates to the Assembly of the Republic, the European Parliament and local administrative bodies should contain a minimal representation of men and women of no less than 33.3 per cent. Emphasis should also be given to the issues of ethics in public service. Following the adoption of a client-friendly approach built into the concept of receptive administration, the provision of public services should include such elements as: transparency, participation, customer satisfaction, and accessibility. Overall, organizational changes will go on in key areas and will most certainly contribute to the development of the Portuguese society and economy, including health care, social security, justice, public security, taxation, education, information society and environmental policy.

Slovenia

The Republic of Slovenia has all the attributes of a democracy, including stable institutions that guarantee the rule of law, respect for human rights and protection of minorities. In October 2000, general elections to the National Assembly took place for the third time since Slovenia became independent. At present, eight political parties are represented in the Assembly, as well as the Italian and Hungarian minorities — each by its own deputy. At the end of November 2000, a new Government took office.

Acceding to the European Union is Slovenia's top priority. This strategic objective is reflected in the activities of each of the three separate branches of power: the National Assembly continues to adopt legislation in compliance with the national programme of accession; the Government carries out its operational work programme within the framework of national priorities and the adopted legislation; and the Judiciary continues to introduce improvements at the legislative and organizational levels. Non-governmental organizations actively participate in the negotiation process through the new Centre of Non-governmental Organizations. By aligning its legal system with the *acquis communautaire*, which is one of the conditions for membership in the European Union, Slovenia successfully continues the process of strengthening its economy's competitiveness, with a view to realizing the goal set out at the time of independence, that is, to become a democracy with a market economy.

Tunisia

The ultimate goal of Tunisia's development plan is to carry out a comprehensive upgrading to ensure the country's integration into the world economy in a newly globalized context, characterized by a growing number of regional groupings and increasing efforts of various countries to open up their economies and strengthen market mechanisms. The main objectives of the plan reflect the following challenges and issues: (a) enhancing the openness of the economy; (b) consolidating the role of the private sector and encouraging initiative as an engine for development and promoting privatization programmes (e.g., a total transfer of enterprises operating in competitive sectors; an increase in the number of public offers to help develop the financial market; and a recourse to private contractors to run a considerable number of public services); and (c) adapting sectoral trends to the need for rationalization of resource allocation, on the one hand, and to the requirements of accelerated growth, strengthening of job creation and export promotion on the other.

In addition to plans to upgrade the various sectors of economic activity so as to strengthen the competitive position of Tunisian enterprises (e.g., industrial sector, agriculture, transport and telecommunications infrastructures), as well as to implement a number of reforms geared towards modernizing the taxation, finance and occupational training sectors, a mechanism for upgrading administration was set up in January 1996, covering all ministries. This mechanism includes: a central administrative modernization programme and a plan to upgrade each ministry's capacity to prepare the administration to define its role and develop its strategies.

The most important challenge to public administration in Tunisia is how to envisage the new role of administration in the light of the latest development plan. In view of the economic policy being pursued and the encouragement of private initiative, the limits of the role of administration need to be redefined. The new functions to be performed by the administration and the operational modalities thereof need to be identified on the basis of a strategic segmentation of administrative services. At this level, the private sector must be mature enough to take on work previously done by the public sector, and continuity must be assured in the best way possible. It is also essential to identify evaluation and monitoring mechanisms to ensure that the transfer of roles does not result in malfunctions, deterioration in quality or unjustified increases in the cost of the goods or services entrusted to the private sector. A corollary and equally important problem is how to adapt the human resources profile to the new role of administration in order to improve the performance of human capital. This system must be accompanied by a means of appraisal and periodic evaluation of public policies and performance.

With regard to public sector management, reform should be based on a plan for adapting human resources to the real needs of public administration. It should be geared to reorganizing the various structures by defining, both quantitatively and qualitatively, the most elementary jobs, including skills required, hourly wage, logistics and essential and peripheral training needs, in order to put in place a system of forward-looking staff management and improve the effectiveness and efficiency of public officials. Meanwhile, a pilot project has been launched in some public services with a view to setting up a quality system in line with the International Organization for Standardization (ISO) 9000 international standards.

Plans also include the reinforcement of local autonomy and consolidation of the transfer of centralized administrative functions to local governments.

United Kingdom of Great Britain and Northern Ireland

The United Kingdom Government sets out its priorities and plans in biannual spending reviews. These spending reviews require major departments to negotiate funding and future priorities with the centre of Government (the Treasury and the Cabinet Office) and to be informed of the current trends, existing challenges and emerging issues in public administration. The results of this process are Public Service Agreements for each major department, which are supported by service delivery agreements for smaller departments and agencies. Full details of all the Public Service Agreements can be viewed at: *http://www.hm-treasury.gov.uk/sr2000/psa/index.html*.

B. Question 2. *Exemplify specific measures taken or contemplated by your Government to implement the relevant provisions of General Assembly resolution 50/225 and recommendations 17 to 24 adopted by the Group of Experts on the United Nations Programme in Public Administration and Finance at its fifteenth meeting (E/2000/66).*

China

China began to reform its economic system and open up to the outside world in the 1980s. Since then, China has made tremendous progress in its reform, opening-up process and modernization drive. It is against this historic background that the 1998 organizational reform of the Chinese Government has been carried out. On the one hand, the government reform is an objective requirement of the reform of the country's economic system. On the other hand, it is an integral component of the reform of the country's political system designed to provide an organizational guarantee to the development of democracy, strengthening of the legal system, enhancement of the efficiency of administration, and improvement of the delivery of public services. The fundamental reason for the reform of government organizations in China is, therefore, the country's policy of reform and opening up, as well as the inherent requirement of its economic, political and social development. In 1998, the process of economic restructuring and development in China reached a crucial stage. Accordingly, the objectives of the organizational reform were to establish a public administration system with high efficiency, coordinated operation and standardized behaviours and to build a rank of administrative cadres with high quality and professional knowledge. Actions were needed to solve the deep-seated problems of government organizations and to transform their functions and streamline their sizes. Thus, the reform of government institutions in China focused on the following five areas:

(a) **Transformation of government functions**. In accordance with the socialist market economic and social development, the key requirement is to separate government from enterprise operation. Both the central and local governments have been required to hand over the managerial functions to enterprises and markets so that enterprises can become corporate entities responsible for their own management, profits, losses and taxes, in accordance with laws and regulations, and so that markets can play a major role in the disposition of resources. Government organizations no longer exercise any direct management over enterprises, recognize only the owner's equity rights, supervise the functioning of State-owned capital in enterprises, and hold limited responsibilities for their liabilities. At the same time, all tasks that can be handled by institutional units and intermediary social bodies have been assigned to those units or bodies, in accordance with the principle of separation of government from businesses and social affairs. Efforts have been made, in particular, to substantially reduce the number of items subject to government control (the Beijing Municipal Government has, for instance, cut the number of items subject to its examination and approval by 42 per cent during this reform period), and lessen the excessive range of social responsibilities assumed by government bodies so as to obviate the need to deal with management details, but rather to concentrate on macro planning, policy guidance, law enforcement and supervision, organizational coordination and supply of public services;

(b) **Rational division of powers and duties among government organizations**. The powers of government organizations at various levels have been divided rationally according to their respective administrative responsibilities and functional characteristics. Apart from foreign affairs, national defence and other foreign-oriented State affairs, the central Government assumes responsibilities mainly for the formulation of overall strategic programmes of national economic development and the regulation and control of the functioning of the national economy at the macro level by enacting financial, monetary and industrial policies in major fields. In the social and cultural area, it provides macro guidance mainly by way of legislation, planning and formulation of policies. Provincial or local governments are the leading organs of cities and counties and fall into the rank of macro managers. Their major responsibilities include the regulation of regional economies and the macro management of infrastructure, social development and other fields. The city governments are in direct contact with enterprises and markets and their major duties include market management, the provision of social services, the development of public benefit undertakings and the improvement of the investment climate for enterprises and of living conditions for local residents. Local governments at the county level and grass-roots governments at the township level work mainly in the rural areas and their major tasks include supply of services to agricultural development, promotion of coordination between the rural economy and society and advancement of the urbanization process in rural areas. The duties of various government agencies have been clearly defined and the relationships between them have been rationalized to avoid overlapping of functions, perfect the operational mechanism and improve the administrative efficiency (more than 100 duties of the various agencies of the State Council, for instance, have been readjusted and redistributed during this reform period, thus solving some long-lasting issues of inefficiency);

(c) **Improvement of the government organizational structure**. Readjustment of the organizational set-up of government institutions has been carried out to simplify administrative structures, unify government action and achieve higher efficiency. Government institutions subject to readjustment fall into two major categories. The first category includes specialized economic organizations administering industrial enterprises, such as ministries of machinery-building, coal, petrochemical, metallurgical, textile and power industries. These ministries were set up under China's traditional system of centrally planned economy. With the establishment of a market economy and the separation of government from enterprise management, these ministries have to be dissolved gradually within the process of transformation of their functions from the management of individual enterprises to the management of entire industrial sectors. The enterprises originally under their management have been regrouped into a modern enterprise system based on conglomeration, incorporation or commercialization. Within the reform of the State Council, these ministries have been converted from the component parts (cabinet ministries) of the State Council into State administrations under the management of the State Economic and Trade Commission. Further readjustment will follow once conditions are met. In the meantime, local governments have been ordered to dissolve all their industrial departments. The second category comprises government organizations whose functions were overlapping. Within the reform of the State Council, for instance, the former Ministry of Geology and Mineral Resources, the State Land Administration, the State Administration of Oceanography and the Surveying and Cartography Administration have been combined into the Ministry of State Land and Resources for the purpose of strengthening unified management of resources; and the Ministry of Information Industry has been created on the basis of the former Ministry of Posts and Telecommunications and the former Ministry of Electronics Industry, in order to strengthen management of the information industry. The newly established Ministry of Labour and Social Security, the State Drug Administration and the State Administration of Entry and Exit Inspection and Quarantine have all been created in a similar way. At the same time, cabinet ministries with the functions of macroeconomic regulation and control, law enforcement and supervision and social affairs management have been retained and duly strengthened to meet the needs of the market economy. As a result, the number of the component parts of the State Council has diminished from 40 to 29. In addition, the number of the internal sections of these departments has been cut by more than 200. Local governments below the provincial level have also undergone substantial streamlining and readjustment;

(d) **Streamlining of public service**. Within the recent reform of the State Council, the number of government employees has been halved. According to the reform plans, provincial governments will also cut their staff by about 50 per cent. The staffing of governments at the city, county and township levels will also diminish substantially. Along with the reduction of staff, the reform has been designed to enhance the overall quality of the public servants working in government institutions; optimize the composition of public service; improve the structure of posts and grades, the age balance and education level of public servants; establish a mechanism for competition; and perfect the system for the selection, recruitment, examination, reward, punishment, promotion, demotion, training and treatment of public servants;

(e) **Institutional and managerial issues**. Within the organizational restructuring of government agencies, particular attention was paid to the following three areas. First, the function, organizational set-up, staffing size and number of high-level posts of each government agency have been stipulated so as to establish an organizational foundation for the functioning of government in accordance with law. Second, administrative behaviour has been standardized, operational procedures have been improved, the system of work-post responsibility has been strengthened and working methods and styles have been modified to enhance the efficiency of public administration. Vigorous efforts have been made to promote honest government, strengthen the mechanism of supervision and self-discipline and curb power-linked corruption. Third, measures have been taken to strengthen management and supervision of the established government posts and budgets so as to consolidate the results of the reform.

Czech Republic

The concept of public administration reform adopted by Government resolution No. 258 of 30 March 1999 defines the basic administrative capacities necessary for the implementation of the policies of individual ministries. The package of new laws concerning territorial units includes: Regions Act (Regional Organization); District Offices Act; Municipalities Act (Municipal Organization); act on the Capital City of Prague; acts to regulate budgetary rules of territorial budgets, to amend related laws and to regulate budgetary revenue of local governments and certain state funds; act to regulate the property of the Czech Republic and the exercise of its functions in legal relations; and act to regulate the transfer of certain assets, rights and obligations from the Czech Republic to regions.

Legislation concerning the budgetary allocation of taxes and the funding of regional authorities is now in the drafting stage. The Ministry for Regional Development has also drafted a bill on support for regional development. The 1999 Act on Free Access to Information enables the general public to obtain more information from public administration authorities.

Policies and programmes for the training of public servants developed within the context of the concept of public administration reform include: the concept of training of public servants, including a timetable; draft system of standard language examinations for deputy ministers, directors general, departmental directors and selected staff of ministries and other central State authorities, developed by the Ministry of the Interior in consultation with the Ministry of Foreign Affairs, the Ministry of Education, Youth and Sports and the Ministry of Defence; draft uniform methodology for training of public servants in European affairs, developed by the Ministry of Foreign Affairs in consultation with the Government Office and the Ministry of the Interior; and draft concept for the development of central management of educational and training activities, organized by the Department for Management of Personnel and Training Activities of the Government Office. These documents were approved by the Government in 1999 and early 2000.

In 1999, the Czech Government also approved the concept of public administration information systems based on the concept of public administration reform and the State information policy. Other relevant documents noted by the Czech Government in December 2000 include: draft concept for improving efficiency of public finance; draft concept for improving public control efficiency; draft concept for improving public sector efficiency; and draft concept for improving public administration management efficiency. The Government also took note of the programme for changes in public administration management at the central level of the State administration. The Ministry of the Interior and the Ministry of Finance were requested to prepare the appropriate draft legislation and other arrangements for consideration by the Government.

In March 2001, the Czech Government adopted the Code of Conduct of Public Servants, based on the best practices of the European Union and Organisation for Economic Cooperation and Development (OECD). The Civil Service Bill drafted by the Ministry of Labour and Social Affairs is currently passing in Parliament, and is expected to enter into force on 1 January 2002. The Ministry of the Interior is also working on legislation concerning local government employees. Both acts seek to clearly separate the political and administrative spheres, stabilize the public service, improve the qualifications of public servants and reinforce anti-corruption measures.

Indonesia

Indonesia believes that the problems it is facing today in the area of public administration and finance are of a cross-cutting and multi-dimensional nature. A holistic programme is, therefore, required to tackle these issues. Accordingly, there are at least five development programmes that Indonesia should emphasize, namely: (i) upstream policy support; (ii) Government reform; (iii) community initiatives programme; (iv) preventive development; and (v) environmental security.

Morocco

With the advent of economic globalization and the opening up of Morocco to international competition, human resources are now considered a genuine investment, which must be continuously developed for the maximum benefit of the country and its population. It is thus becoming essential to analyse the management of human resources in the Moroccan civil service in several respects, taking into account the new stakes and the evolution of the economic environment at the national and international levels. The following major trends were highlighted because of their impact on human resources management: integration of Morocco in the free trade area; implementation of the policy of disengagement by the State; needs related to the process of decentralization and devolution; declining budgetary resources; increasing impact of new technologies; and demand for quality service vis-à-vis citizens and enterprises. Because of the rapid change that the civil service is experiencing, the nature of its tasks may be radically altered. This will require a higher level of skills and willingness of staff to participate in retraining and continuing training programmes. These include:

(a) **Continuing training**. The development of skills in the civil service is a priority of the reform programme established by the Government. The Ministry of the Civil Service and Administrative Reform has therefore prepared a draft decree on continuing training that is structured around the following elements: (i) definition of the objectives of continuing training; (ii) preparation of a set of national guidelines to ensure coordination among the various ministries in the area of continuing training; (iii) linking of internal promotion to continuing training; and (iv) requirement that departments prepare continuing training plans based on needs and priorities and allocate the necessary financial resources for continuing training. In addition, the National College of Administration has been reformed and a Higher Institute of Administration established to meet the civil service's new needs in the areas of staff productivity and performance;

(b) **Enhancing careers in the civil service**. In order to improve the career system and increase the remuneration of civil servants, several projects and studies have been undertaken by the Ministry of the Civil Service and Administrative Reform. These initiatives include: a study of remuneration and salaries in the civil service; a draft decree on internal promotion; a draft decree on redeployment of civil servants between the national administration and local governments; a draft decree on procedures for performance appraisal and promotion of civil servants; a draft decree on the Supreme Council of the Civil Service; a draft decree establishing a special status for experts providing advisory services; and a draft decree on the status of senior administrative officials.

In the area of strengthening managerial capacity in the civil service, recent measures and initiatives include:

(a) **Good Governance Pact**. This reflects the Government's desire to pursue a policy of change through initiatives of a sectoral, specific and sustainable nature. Under the Pact, members of the Government pledge to adopt clear rules of conduct and a new approach to governance. The Pact is structured around the following principal commitments:

(i) To work to raise ethical standards in the civil service (proposed revision of the act on the declaration of assets, draft legislation to prohibit the simultaneous receipt of more than one salary or the holding of more than one post, draft decree on illegal ownership, prohibition of the simultaneous holding of public posts and engaging in remunerated private activity by civil servants (1999);

(ii) To streamline public administration (decree on the reform of the civil service car fleet (1998), abolition of the fees paid to members of the boards of public bodies (1999), decree governing procurement contracts introducing rules on transparency and freedom of competition, establishment of regional courts of auditors (1996), and draft legislation on financial tribunals);

(iii) To strengthen communication, dialogue and responsiveness of the civil service (draft legislation to revise the Code on Public Freedoms (in progress), establishment of a communications office within ministerial departments (1999), proposed establishment of a centre for administrative information (in. progress), study of the legal framework for information technologies aimed at facilitating transactions, development of juridical instruments and entry of Morocco into the new economy).

(b) **The new concept of authority**. Under the Royal Directives intended to establish a new concept of authority and to improve relations between the administration and citizens, the following draft legislation will be submitted for adoption in the near future: a draft decree on improving relations between the administration and the public aimed at preserving the right of users to have access to administrative information and requiring the administration to pursue citizen complaints; draft legislation on justification of administrative actions; draft legislation on the implementation and execution of judicial decisions by the administration; and the national programme for the simplification of procedures.

(c) **High Council on Public Administration**. The Council gives its views on trends in government policy for the development and promotion of human resources.

(d) **Adjustment of national systems and adaptation to globalization**. Morocco has already carried out some legislative and regulatory reforms in this area to adapt to globalization. These reforms include: the act creating regions (1997); the Code of Commerce (1996); the Charter for Education and Training (2000); the act on public companies (1996); the act on the stock exchange (1997); the act on trade jurisdictions (1997); the act on the investment charter (1995); the act on public interest groups (2000); the act on free pricing and competition (2000); the Customs Code; the establishment of the Agency for Social Development (1999); and the establishment of the National Agency for the Promotion of Employment and Skills (2000).

Oman

On 6 November 1996, Oman promulgated the Basic Law of the State, the country's first modern constitution. It provides the basis for and the principles that should guide State policy in all fields and establishes the principle of the rule of law, a State of institutions and the guarantee of freedoms within the framework of the particular character of Omani society. Its most important features are:

(a) The establishment of the Oman Council, consisting of the Council of State and the Consultative (Shura) Council. This seeks to expand the base of national participation in the consultation process so as to make use of the expertise of scholars and specialists for the implementation of the comprehensive development strategy. The members of the Consultative (Shura) Council are directly elected and may be of either sex;

(b) The promotion of the rule of law, by giving a prominent role to the judicial system as an independent authority operating with no permissible interference. A set of laws was enacted regulating judicial institutions, such as the Higher Council for the Judiciary Law, the Court of Administrative Justice Law, the Public Prosecution Law and the Civil Status Code;

(c) The establishment of economic principles, such as: the principle of a free economy; the need to strengthen cooperation between the public and private sectors so as to help raise the living standards of citizens; the inviolability and protection of public property and the inviolability of private property and the prohibition of its confiscation other than in accordance with a judicial verdict; and justice and equal treatment for all as the basis for determining taxes;

(d) The definition of the rights and duties of the citizen and confirmation that citizens are equal before the law and that personal freedom and the right to litigation are guaranteed to all. The Basic Law also establishes, in a clear and fully transparent manner, the responsibilities and duties of all State agencies, including the office of the Head of State, the Council of Ministers and the executive, judicial and advisory institutions.

The Forecast for the Omani Economy in 2020, prepared by a select group of local and international specialists, represents the strategy for national action from 1996 to 2020 and seeks to achieve a strategic transformation so that the economy will not depend on government expenditure and oil revenues. It recommends a sustained endeavour to achieve a balance between revenues and expenditures, the elimination of the budget deficit, the development of human resources by upgrading skills and qualifications through improved general and university-level education and training and the strengthening of the role of women in the labour market. The Forecast also establishes frameworks for addressing the challenges of globalization, which is no longer a matter of choice but a reality that compels recognition, by advocating a number of practical measures that include joining the World Trade Organization and promoting the transfer of, access to and utilization of technology.

Oman has begun the actual implementation of the recommendations made in accordance with this well-defined plan.

Panama

In the area of public administration and State reform, action has been taken to modernize the State through the elaboration of executive and legislative initiatives, including Law 29 of 1 September 1996, establishing the Competition Law and Consumer Affairs Commission. The Law sets out the basic principles of a market economy, provides for sanctions against economic agents for anti-competitive behaviour and establishes consumer protection mechanisms. Law 26 of 29 January 1996 established the Public Services Regulatory Entity. Law 44 of 12 August 1995 relaxed certain provisions of the Labour Code to facilitate hiring. The Administrative Career Act has been adopted and implemented. The Special Retirement Act has been reformed with the creation of the Savings and Pension Fund for Public Employees, which replaces the Complementary Pension Fund. A number of other laws have been adopted, including Law 56 on Public Procurement; the law on Panama's entry into the World Trade Organization; the Inter-Oceanic Region Authority Act and the Canal Authority Act; the Education Modernization Act; the Family Code; the creation of the Ngobé-Buglé region; Law 18 of 4 June 1997 on the National Police; the establishment of the office of the Ombudsman; the reform of the banking system; the law on cooperatives; the reform of the Electoral Code; the legislation on incentives for the development of tourism; the reform of the financial administration; the creation of the National Maritime Authority; changing the name of the Ministry of Labour to the Ministry of Labour Development, together with a reallocation of its functions; the establishment of the National Environment Authority; the establishment of the Ministry of Economy and Finance; and the orderly transfer of the Panama Canal to the Panamanian Administration.

Action has also been taken jointly by the Government of Panama and the United States Agency for International Development (USAID), under the programme to improve the administration of justice, to improve the workings of the judicial system and the Public Prosecutor's Office. A similar programme covering specific areas of both sectors is currently being implemented with financial assistance from the Inter-American Development Bank. The legislature, meanwhile, is undergoing a process of modernization, thanks to a loan agreement with the Inter-American Development Bank, incorporating, along with other legislation, Law 12 of 1998, which establishes the legislative career, institutes the consolidated system of financial administration and establishes a data centre for monitoring Panamanian legislation.

In the field of public finance, the Government introduced an integrated system of financial administration whereby accurate and timely information on the State's financial and budgetary performance is provided on computer. In order to integrate its financial activities, the Government amalgamated the functions of the Ministry of Finance and Treasury and the Ministry of Planning and Economic Policy to form the Ministry of Economy and Finance. In order to resolve the critical fiscal situation and provide funding for the implementation of social programmes and projects, a wide-ranging national debate has been held and agreement reached on solving the most urgent problems through the strengthening of public finance, a prerequisite for the implementation of economic and social policy. In the medium term, a manageable fiscal deficit will be maintained and the public debt will be gradually reduced until it reaches the investment grade. The State will work towards redistribution and implement a public expenditure policy favouring the social sectors and, in particular, vulnerable groups. The Government will comply with the provisions of the constitution and the principles of the unity and universality of the budget.

Poland

During the period from 1997 to 2000, the Polish authorities took important decisions to introduce institutional reforms and formulate macroeconomic policies. In the area of monetary policy, steps were taken to strengthen the independence of the National Bank of Poland with the establishment of a Monetary Policy Council. In the fiscal area, an important act on public finances was adopted by parliament in order to clarify the responsibilities of various agencies, impose discipline on the public spending budget, and improve transparency. The fiscal policy was also put into a medium-term framework to consolidate the public finances and contribute to long-term economic development. All these measures have helped Poland to cope quite well with the consequences of the 1998 Russian financial crisis and the 1998-1999 slowdown in Western Europe. However, tight fiscal and monetary policies resulted in a relative slowdown of economic growth and rise in unemployment.

In Poland, the reform of public finance is closely linked to the reform of public enterprises, since the inefficient state-owned enterprises are frequently a costly burden for the budget. From the beginning of the transition period, great efforts have been made to restructure state-owned enterprises (e.g., shipyards and banks). Thanks to these efforts, an important part of budgetary costs has already been paid and enterprise restructuring has advanced further than in other post-communist countries. Nonetheless, there are several sensitive sectors where the State as an owner has imposed insufficient budget discipline and allowed companies to default on their taxes and social security obligations (coal mines, steel mills and railroads).

During 1998-1999, four important structural reforms related to public finances were introduced:

(a) **The public administration reform**. Before 1999, the budgetary sphere was generally less affected by the reform effort than the enterprise sector. Few changes were made until 1999 to modernize the central administration, decentralize responsibilities to local government and improve health care and education services. The authorities began to address these problems towards the end of the 1990s and a range of specific structural reform efforts were initiated. An important structural reform introduced recently is the devolution of responsibilities to local governments. Local governments have been divided into three layers: communes ("*gminas*"), counties ("*poviats*"), and regions ("*voivodships*"). Each level has been provided with well-defined areas of responsibilities. The formula for allocating tax revenues to local and regional governments is largely based on their shares in generating total taxes without significant redistribution;

(b) **The pension reform**. A comprehensive reform of the old-age pension system was introduced in January 1999. This reform constitutes an evolution from a pay-as-you-go to a partially funded system. This includes a modified pension programme (first pillar), a mandatory, privately managed employee/employer fund (second pillar) and a privately managed voluntary scheme for employees (third pillar). There have been some problems in the transition to the new pension system, but these are likely to be resolved over time;

(c) **The education reform**. The basic principles of reform of the educational system were adopted in 1998. The new act includes provisions concerning new school structures, the reallocation of management responsibilities to regional and local authorities, the redistribution of financial resources and the decentralization of education management. The implementation of the restructuring of the educational system began in September 1999. This reform reduces the primary school period from 8 to 6 years and adds a new three-year middle school level. The reform aims at increasing participation in secondary and tertiary education, improving the development of practical skills rather than just transferring knowledge, raising access to education for the rural population, improving adaptation of vocational education to business needs and improving the financial situation of the educational system through an increase in budgetary expenditures and in the schools' own resources;

(d) **The health reform**. Important steps have been taken in the area of health care through the establishment of regional insurance funds as the main channels for managing public health funding. The system offers universal coverage at a reasonable level of spending. The reform aims also at splitting the purchaser and provider functions so as to promote competition among health service providers and at assigning family doctors the role of a filter for access to higher levels of care. A major concern from the point of view of spending control is how to impose a hard budgetary constraint on regional health funds. The Government sees this reform as a vehicle for pushing forward other elements of the health care agenda, including decentralization, developing an appropriate public mix and beginning to reduce costs while increasing the quality of service.

Portugal

By the beginning of the twenty-first century, Portugal has become an open, creative and innovative society, in which people have the opportunity for better qualifications, better employment and remuneration and where they can be highly productive and fully participative in the information society. The public administration reform currently in progress has to rely on public servants who are the key to the modernization strategy. Measures taken in this area include: a second general census of the public servants carried out in 2000; a review and appraisal of regulations on the inter-changeability of careers; the establishment of staff boards for general and special career systems; a course of advanced studies in public management held in 2000; a set up of labour exchange for a rational and integrated control of human resources; a centralized recruitment system for equal careers in public administration; a professional profiles programme designed for the recruitment and training of new and existing staff; studies on the reappraisal of public employment policy; and the development of general and sectoral plans of employment and training of staff.

Portugal has made a remarkable effort in the field of training programmes for the public service, which have been carried out with the financial support of the European institutions, including subsidies from the Community Support Framework. The training scheme adopted by the Portuguese public service is applicable both to professional knowledge and personal skills and is based on the offer of training by specialized public organizations. At the same time, many government departments organize in-house training while many private associations and businesses also constitute an important source of training. The initiatives adopted in this field are:

preliminary training courses for career entry and progression; further training courses designed to improve operations and procedures of public administration; new training courses aimed at meeting the requirements of the information society; and a programme of "distance training". In order to prepare public servants to operate at the international level, the National Institute of Administration and the local Authority Study and Training Centre organize several training courses, with a special focus on European matters. In addition, training is received at the European Institute for Public Administration in Maastricht.

Another relevant issue is the establishment of a career development system designed to attract, retain, develop and motivate people. With the last revision of the career system in 1998, service in public administration became more attractive as it became easier to reach the top of the career scale and, as a result, salaries increased. The main measures taken in this regard were: extinction and fusion of careers; organization of the career scale framework; simplification of the career system; revaluation of vocational training; and the possibility of faster career paths. In addition, proposals to enhance motivation in public service include: merit appraisal mechanisms; functional enrichment of positions; the outstanding merit awards granted to individuals or work teams; and merit pay. In specific areas such as information technology the strategy for retaining skilled and competent personnel includes measures aimed at changing careers and remuneration.

The Portuguese constitution stipulates the fundamental principles of ethics in public administration. It states, inter alia, that the public service shall work to promote public interest while observing the rights and interests of the citizens that are protected by law and that the organs and officials of the public service shall perform their functions with full respect for the principles of equality, proportionality, fairness, impartiality and good faith.

The mechanisms of performance benchmarks are: observation of good practices in local administrative modernization; dissemination of best practices in the organization, management and quality of local administration services (exemplary cases); annual rewards granted to public services of the best quality; the first Conference on the Quality of European Public Administrations, which is to be held in Lisbon; and actions aimed at divulging the good practices in public service management.

Portugal is engaged in creating the necessary capacities for public policy development in order to take advantage of the potential opportunities of economic globalization as well as to secure the sustainability of economic development. The initiatives adopted in this area are aimed at: increasing the competitiveness of Portuguese corporations, especially through the creation of modern infrastructures supported by new systems of economic incentives for the period up until 2006; supporting the development of new and dynamic technologies in the global and European economy; developing human resources in the new information society by fostering their capacity of innovation and adjustment to the technological evolution; adopting the necessary measures to take full advantage of the European community funds allocated within the scope of the Community Support Framework; promoting small business initiatives; introducing new production methods; fostering competitiveness in business behaviour; making better use of the new technologies; and promoting the internationalization of the Portuguese economy.

The transfer of, access to and the use of new information technologies is pursued within the scope of information society development by promoting the access to and exchange of data by all citizens, irrespective of their economic and social situation, and ensuring that these technologies will not become an additional factor for social exclusion. In order to modernize the public administration and increase the efficiency and transparency of public services, the following measures have been carried out: providing e-mail for all Directors-General and services of the same status; computerization of most public services; access to official printed forms and other administrative information via the Internet; possibility of delivering documents by e-mail (bearing the same legal value as hard copies sent by regular mail or hand-delivered); a proposal to have all public services online in order to extend service delivery beyond normal working hours; a digital cities project to integrate public services, cultural associations, schools and businesses in a digital network in order to attenuate distances and increase accessibility to information and new services; creation of a pointer server "Res Publica" containing all e-mail addresses and home pages of the public services; and an experiment of online service, jointly with the Ministry of Justice, to issue certificates via the Internet.

As regards the strengthening of partnership of the public sector with the private sector and civil society, as well as providing an enabling environment for private sector activities, the Portuguese authorities have focused on the following areas: promoting mobility of staff between the public and private sectors and international organizations; providing assistance to research carried out jointly by corporations and scientific institutions; fostering undertakings, particularly by small- and medium-size enterprises in the digital economy; promoting a gradual improvement of qualifications and competencies of the working population; developing a support programme to provide information and technical assistance to micro and small-size enterprises in managerial issues; and a programme for the development of enterprises with innovative characteristics.

Efforts have been made for the promotion of the role and involvement of women in public administration and the development of cross-sectoral gender-sensitive and multidisciplinary capabilities. As a result, there has been a sustained increase in the number of women employed in the public administration. Overall, 54.4 per cent of public servants are women. Female participation is particularly visible in education, health care and social security services. The initiatives taken in this field include: the enactment, in 2000, of a regulation establishing equal opportunities for men and women in employment and professional advancement; the publication of booklets on legal regulations currently in force; the launching of public awareness campaigns, including conferences and public debates; a proposal for granting rewards to public services with exemplary policies on equal opportunity rights; special training courses for labour inspectors; the creation of a follow-up indicator system on equal opportunities for the National Employment Scheme; the integration of the gender perspective in all sectoral public policies; the establishment of public and social structures designed to promote conciliation in the workplace and family life; the introduction of a separate chapter on the observance of equal opportunity rights in the social reports produced by the administration; and public campaigns to foster the participation of men and women in professional activities and family life. Valuing policies on equal opportunities for men and women has been a fundamental target of the government strategy, which involves reformulating conceptual frameworks based on transversal policies development. In general, there are no restrictions for citizens to participate in the public sector spheres based on sex, race, religion, political or ideological convictions, education, economic situation or social condition.

Slovenia

The reform of public administration is one of the priorities of the Slovenian Government. The objective of this reform is to provide for a professional, impartial, efficient, transparent and user-oriented public administration. The reform includes: a legislative and regulatory component; reinforcement of the training system and the implementation of a training strategy aimed at enhancing the administrative capacity needed for the accession to the European Union; the introduction of quality standards into the work of public administration; streamlining of the administrative organization and informatization; the regulation of the civil service system, including the payment system in the public sector; and the upgrading of the local government system.

The legislative dimension is the most important part of the public administration reform. In accordance with the National Programme for the Adoption of the European Union, *Acquis*, till 2002, new legislation includes: Government of the Republic of Slovenia Act; Organization and Competence of Ministries Act; Public Administration Act; Public Agencies Act; Public Funds Act; Inspection Supervision Act; Administrative Procedure Act; and Civil Servants Act. Within the context of the legislative reform of public administration, amendments to the constitution that relate to the Government and public administration are also included.

The National Assembly adopted the modifications and amendments to the Government of the Republic of Slovenia Act in December 2000. These provide for the following two changes: enhancement of the coordination function of the central Government (e.g., strengthening the Prime Minister's office by appointing ministerial advisors and state secretaries); and the altered composition of the Government (e.g., the fusion of certain ministries and the setting up of the new ministry for information society and the rearrangement of tasks of certain ministries). Owing to the fact that the imperative amendments to the Government Act have already been enacted, the drafting of a new law will be completed following the constitutional amendments in 2002. In preparing the platform for constitutional amendments, the Ministry of the Interior proposed to change the government structure along the lines of the German chancellor system and to delete certain constitutional provisions that impede a flexible organization and functioning of public administration.

The draft amendment to the Organization and Competence of Ministries Act, submitted to the National Assembly, would introduce organizational changes based on the amended Government Act and would facilitate the adaptation of the legal provisions regarding ministries to the new composition of the Government. This amendment would also make it possible to reduce the number of bodies within the ministries and government services, thus enabling a rationalization in those fields where the administrative functions and the overhead activities are being duplicated.

The main features of the proposed amendment to the Public Administration Act, which is under the inter-ministerial consideration, are: a less detailed definition of the terms of reference of ministries (a more detailed definition is provided by a service and reducing the negative impacts of political changes on the functioning of public administration;

(e) Ensuring openness in the functioning of public administration, respect for the code of conduct and orientation towards the users of services;

(f) Facilitating greater flexibility in managing human resources and labour force movement between the public administration bodies (internal labour market), as well as cooperation with trade unions in matters affecting the status of civil servants.

In March 2001, the Government adopted three regulations related to the public service. The first regulation defines the method of establishing the competence of an employee to perform his/her tasks in accordance with working and professional criteria. The second regulation improves the operational standards of public service through the harmonization and unification of business hours, official hours and working time within the bodies of public administration. The third regulation concerns the method of providing services to clients, which should increase the quality of public services and ensure a client-friendly practices, including measures such as the provision of information, complaint and commendation books, as well as annual surveys of clients and employees. In addition, a special act concerning the remuneration system in the public sector is prepared to address the following major issues: unified pay system for all public employees; definition of pay ratios among different types of job positions; flexibility and variability of pay according to performance; and transparency of public finances.

The Academy of Administration was established in 1997 as a central institution for training of civil servants. Within its programmes, including over 50 seminars, the most important are those regarding management skills and training in the field of European affairs. The strategy for training to increase the administrative capacity prior to Slovenia's accession to the European Union (2000-2002) was adopted by the Government in August 2000, and was renewed in February 2001. Under this strategy, administrative officials receive training in the areas that are most important for the *acquis* and participation in European Union working bodies. The training of 65 senior officials was completed, and a comprehensive 20-day seminar, consisting of two modules on management in public administration and the European Union, is under way. Moreover, introductory seminars on European Union affairs were organized for 490 junior officials, who will be integrated into the three-year fast-stream training programme.

Another important project in the field of public administration reform is the introduction of quality standards into the work of public administration bodies, including the working procedures according to ISO 2000. The internationally comparable certificates have thus far been granted to three administrative units and one Ministry in Slovenia. In 2001, the Government intends to launch ISO certification projects in 5 to 10 administrative units.

Based on the new General Administrative Procedure Act and the Electronic Commerce and Electronic Signature Act, the Regulation on Documents Management will be updated by means of an amendment, which will be submitted to the Government by the Ministry of the Interior in 2001 in order to remove the legal obstacles to the development of electronic commerce. In addition, a project on the informatization of administrative units will be upgraded, with an interactive function regulation); a reduced number of bodies and organs within ministries, thus providing for the streamlining of structures to prevent duplication of functions and merge the management tasks; and a more transparent arrangement of the relationships between the ministries and other relevant bodies. In particular, the amendment seeks to strengthen the hierarchical line between the administrative units and the Ministry of the Interior, enhance the coordinating role of this Ministry in the field of organization, staffing and funding of administrative units and strengthen the managerial role of the heads of the administrative units.

The Public Agencies Act before the National Assembly is a systemic law that governs a new classification of the holders of public authorizations and defines the rules of the functioning of public agencies with a view to reducing the size of public administration. In those fields where there are conditions for a relative organizational, staffing, financial and other forms of autonomy, the Government will be able to establish public agencies to carry out the regulatory, development and/or analytical tasks. In the first instance, these are fields which demand a particularly high level of autonomy (e.g., the regulatory authorities in the energy sector); in other cases, a connective relation between the service and payment, a more reasonable management of public funds and a more efficient and user-oriented delivery of services can be achieved through the completion of an autonomous financial circle, in accordance with the principle of financing through payment for services.

Organization and coordination of inspections at the central and local levels will be governed by the Inspection Supervision Act, which has recently been submitted to the Government. The draft law covers the following issues of the inspection supervision: inspection powers and inspection measures; organization and autonomy of inspection services; inspection procedure; status of inspectors; and coordination of inspections. The latest Administrative Procedure Act was adopted in April 2000.

The main objectives of the Civil Servants Act include, inter alia:

(a) Extending the applicability of a single system of government bodies and local community bodies to those persons in the public law field who are primarily engaged in administrative tasks in order to provide for a single system of public servants;

(b) Separating the performance of public tasks (civil service system) from the accompanying activities, and approximating the regulatory system of civil servants to the regulations of the labour law, taking into account the particularities dictated by the public interest;

(c) Decentralizing and simplifying the decision-making procedures on staffing issues while, at the same time, centralizing and substantially strengthening the supervision of staff and introducing a mechanism of responsibility and sanctions for violations;

(d) Providing conditions for administrative capacity-building, including the formation of an "administrative elite" (i.e., top administrative experts and managers), through an improved system of selection, training, titles, jobs, posts, promotion and remuneration, with a view to separating political posts (functions) from administrative ones, ensuring greater stability and higher quality of public to be incorporated in administrative procedures. The proposed amendment to the regulation on common positions for the internal organization of administrative bodies will expedite the setting up of new information offices through which the administrative services will be brought closer to the citizens.

A special act on the local government system is foreseen for the end of 2001. It is essential to continue the development of partnerships among various parts of public administration, especially between the state administration and the local government.

Tunisia

The country's policy in respect of information and communications technology is based on a comprehensive, coordinated and integrated national strategy of computerization designed to increase the utilization of computer resources so as to prepare Tunisia for entry into the computer society. This strategy is based in part on expansion of the use of information technology in three areas: management; production and decision-making; and in part on the introduction of new information and communication technologies, such as the Internet, networks and the Intranet. To that end, and in accordance with the plans to upgrade administration, every department is to prepare its own computer master plan. Parallel to that, the areas common to all ministries (management of mail, orders, supplies, fleet of vehicles, enterprises under supervision, follow-up of inspections, legal affairs) have been examined within the context of a computer master plan for administration, which will be extended to all departments.

In addition, major applications are used nationwide by the public services in the following areas: public expenditures; personnel; follow-up of government work; customs; revenue; citizens' requests; and public debt. Parallel to this, consideration is being given to the phasing out of administrative documents, the placement of public data online and the introduction of online access. In this area the policy is to encourage subcontracting so as to strengthen the private sector.

The civil service in Tunisia is governed by the civil service regulations of 1983, as amended in 1997. In the Tunisian civil service 25 per cent of the staff are general service staff and 75 per cent have at least a baccalaureate; of these, at least 16 per cent have a master's or higher degree. Women account for 40 per cent of all employees. The civil service accounts for some 4 per cent of the population, in other words there are approximately 40 public officials for every 1,000 inhabitants. Improvements to the civil service are designed to introduce new personnel management methods, modernize the remuneration system, rationalize the system of recruitment, renovate the benefits system and develop a new system for motivating and rewarding public officials.

As regards training, the system of ongoing training for State officials was overhauled in 1993 so as to bring it up to date and adapt it to the needs of the services and to staff expectations. In addition, at the start of 1995, a new system of retraining and refresher courses was instituted, in the form of short training sessions in public management for senior management personnel so as to increase their professional abilities and enhance their competencies in respect of the management of services and human resources.

A department of training has been set up in the office of the Prime Minister. Its mission is to: ensure that each Ministry prepares an annual training programme taking into account the goals of the national training policy; prepare a national training programme for civil service staff in light of the proposals made by the ministries and of development plan projections and ensure that it is executed; give advice on any proposal to create or restructure any staff training institution; work to ensure that the goals of the training policy tie in with the needs of administration; ensure that the regulations concerning training of employees of the State, local authorities and public administrative establishments are implemented; guide and assist the various departments in the area of training. In collaboration with the national school of administration, this department also designs training programmes common to certain ministries with a view to: improving the management skills of supervisory staff and employees so as to be in tune with the new management and organizational methods; redeploying public employees so they can perform new duties; following up on the preparation of handbooks listing training opportunities to help employees wishing to sit for competitive examinations within the administration or to take distance training courses; retraining those in charge of training structures in the ministries; training the trainers so as to meet the needs of the various ministries; and coordinating and consolidating international cooperation on training. All these measures and reforms are part of a vast programme of administrative modernization and overhauling of the organization and management of public entities.

United Kingdom of Great Britain and Northern Ireland

The United Kingdom Government launched the Modernizing Government White Paper in June 1999. This document covers much of the ground covered in the recommendations of the Group of Experts on the United Nations Programme in Public Administration and Finance at its fifteenth meeting (E/2000/66). The Modernizing Government programme has five key themes: professional policy-making, valuing public service, information age government, quality public services, and responsive public services. The white paper lays out the vision of modern government in Britain. Many of its actions have already been implemented. It is essentially, however, a long-term change programme and key objectives within it are consolidated in departmental and cross-departmental public service agreements. The full text of the Modernizing Government White Paper and details on progress since it was published can be viewed at: *http://www.cabinet-office.gov.uk/moderngov/*.

Pursuant to recommendation 17 of the Group of Experts, investing in human and social capital is the cornerstone of government in so many ways that it would be impossible to list every initiative that the United Kingdom Government is undertaking to develop opportunities for citizens. However, the web site links for some of the most recent major initiatives in this area are: the latest Education Green Paper: Schools Building on Success (*http://www.dfee.gov.uk/buildingonsuccess/*); the Learning and Skills Act (*http://www.hmso.gov.uk/acts/acts2000/20000021.htm#aofs*); and the National Strategy for Neighbourhood Renewal (*http://www.cabinet-office.gov.uk/seu/index/national strategy.htm*).

As for recommendation 18 on strengthening capacities in public policy formation and public service management, a key component of the Modernizing Government programme is continuous improvement in policy formation. "Professional policy — a guide for the 21st Century" sets out the key reforms taking place in policy-making. This document can be viewed at: *http://www.cabinet-office.gov.uk/moderngov/policy/*. Additionally, the Centre for Management and Policy Studies (a division of the Cabinet Office) web site provides links to a range of policy initiatives currently under way (*http://www.cmps.gov.uk/*).

In response to recommendation 19, the Centre for Management and Policy Studies in the Cabinet Office develops training programmes that meet the diverse needs of civil servants (additional to in-house departmental training). The Centre for Management and Policy Studies manages the Civil Service College, a dedicated training facility for civil servants, and is continually assessing and improving training courses to reflect the needs and feedback of staff. The Centre is also running a number of training events bringing together ministers and senior civil servants. Full details of all the training courses the Centre offers, and information on the development of training and policy can be found on its web site: *http://www.cmps.gov.uk/*. Moreover, the Modernizing Government White Paper has civil service reform at its heart and this reform programme has been devised to ensure that the United Kingdom civil service continues to attract the right people to maintain its reputation as a world leader in public administration. Further details of the progress made in reforming the civil service can be found at: *http://www.cabinet-office.gov.uk/civilservice-reform/*.

With regard to recommendation 20, the Cabinet Office has a range of quality tools that it uses to benchmark performance across government. Full details of these tools and how they are applied can be found on: *http://www.servicefirst.gov.uk/*. Responsibility for pay and most other conditions of service for the civil service have been delegated individual departments and agencies. It is a fundamental condition of delegation that departments and agencies comply fully with the Civil Service Management Code. The Code sets out regulations and instructions to departments and agencies regarding the terms and conditions of service for civil servants. This covers areas such as the conduct of civil servants and also requires that departments and agencies operate merit pay systems. A copy of the Code is available at: *www.cabinet-office.gov.uk/civilservice/managementcode/index.htm*.

Additional mechanisms in place to ensure ethical conduct are:

(a) Committee on Standards in Public Life (*http://www.public-standards.gov.uk*). In October 1994, the then Prime Minister set up the Committee on Standards in Public Life. Its terms of reference are: "To examine current concerns about standards of conduct of all holders of public office, including arrangements relating to financial and commercial activities, and make recommendations as to any changes in present arrangements that might be required to ensure the highest standards of propriety in public life". For these purposes "public life" includes Ministers, civil servants and advisers, Members of Parliament and United Kingdom Members of the European Parliament, members and senior officers of all public bodies and elected members and senior officers of local authorities. Since then, the Committee has investigated various areas of public life and issued a number of reports containing many recommendations intended to maintain and, where necessary, restore the standards of conduct in public life and to promote a policy of openness that will enable the public to see whether their expectations are being met.

(b) Commissioner for Public Appointments (*http://www.ocpa.gov.uk*). In November 1995, as a consequence of a recommendation by the Committee on

Standards in Public Life, the office of Commissioner for Public Appointments was created. The Commissioner monitors, regulates, reports and advises on Ministerial appointments to non-departmental public bodies to ensure that such appointments are made on merit, after fair and open competition. Government departments are required to follow the Commissioner's Code of Practice when processing these public appointments. The Commissioner is also responsible for investigating complaints about how an individual appointment was made.

(c) Parliamentary Commissioner for Standards (*http://www.parliament.uk/commons/selcom*). In November 1995, the post of Parliamentary Commissioner for Standards was established for the House of Commons. The Commissioner keeps the Register of Members Interests, advises Members on their conduct and investigates complaints. Following an investigation, the Commissioner advises the Committee on Standards and Privileges on the appropriate course of action in relation to the complaint. If the Committee decides that there is a case against a specific Member, it will recommend an appropriate punishment, which can range from an apology to the House, a period of suspension or complete expulsion.

As regards recommendation 21, the Centre for Management and Policy Studies has a key role in tracking policy developments worldwide, sharing the United Kingdom experiences of public policy development internationally and participating in international projects and forums. For example, the international comparisons in policy-making project, launched in November 2000, aims to enable practitioners to improve the quality of public policy development and delivery in the United Kingdom by easing access to reliable and relevant international policy-making experience and increasing the use of such information. Initial research indicates that: (a) much research in the field and routine "policy transfer" is already under way; (b) practitioners need to know the best places to look for good policy practice in a particular field, but tend to look only in well-ploughed ones; (c) one of the most critical factors in successful transfer of policy experience from one country to another is understanding the context in which it was developed and employed in political, social and cultural terms; and (d) the term "benchmarking" is a confusing one, understood by some to mean directly comparable standards or practices. Practitioners need a methodology or set of tools that makes it easier for them to accurately interpret and transfer lessons in policy-making from other countries. Therefore, the goals of the project include: (i) developing a typology of different policy-making structures; (ii) carrying out more detailed studies of contrasting policy-making structures in different types of countries (e.g., developed countries within and outside the European Union and developing countries in Asia and Latin America); and (iii) providing some descriptive examples of successful and unsuccessful policies, both as illustrations and "reality checks" for the tools produced.

Concerning recommendation 22, the Regulatory Impact Unit is based at the centre of the United Kingdom Government in the Cabinet Office. Its role is to work with other government departments, agencies and regulators to help ensure that regulations are fair and effective. Regulations are needed to protect people at work, consumers and the environment, but it is important to strike the right balance so that they do not impose unnecessary burdens on businesses or stifle growth. Full details of the unit's work can be viewed at: *http://www.cabinet-office.gov.uk/regulation/Role/Index.htm*.

On recommendation 23, the Department of Trade and Industry has the overall aim of increasing "competitiveness and scientific excellence in order to generate higher levels of sustainable growth and productivity in a modern economy". Full details of how the department is advancing the recommendations of the Organisation for Economic Cooperation and Development (OECD) on working with multinational corporations can be viewed at: *http://www.dti.gov.uk/worldtrade/ukncp.htm*. More details on the Department's work is available from its web site: *http://www.dti.gov.uk/*.

Regarding recommendation 24, the Office of National Statistics is in the process of setting up a unit to look at improving the use of administrative data for statistical purposes as part of a wider strategy on improving data across government. The Cabinet Office Performance and Innovation Unit is now in the final stages of a project on privacy and personal data, which will be ready for publication in June 2001. The project was set up to develop a strategy to promote both the goal of better and more efficient data use in the public sector and of ensuring individual privacy is appropriately protected. The key conclusions are: (a) the visibility and public salience of data and information are likely to rise sharply over the next few years, partly because of the new United Kingdom freedom of information act and partly because of growing public awareness of the Internet, smart cards and so on; (b) safeguards need to be put in place to build public confidence so that personal data held by the Government will be accurate, secure and used responsibly; and (c) with these in place, it will then be possible for the Government to make better use of data to fight crime and tackle fraud, deliver more efficient customer-focused public services and better inform the Government's planning and policy-making decisions.

In addition, and pursuant to paragraph 8 of General Assembly resolution 50/225, the Home Office has a dedicated unit working on human rights issues. The Human Rights Unit's main responsibility is to ensure the successful implementation of the Human Rights Act 1998, which incorporates into United Kingdom law the rights and freedoms guaranteed by the European Convention on Human Rights. The Unit also maintains and develops the United Kingdom position under various human rights treaties. Full details of the work of this Unit can be viewed at: *http://www.homeoffice.gov.uk/hract/hramenu.htm*.

C. Question 3. *Illustrate major achievements attained and impediments encountered by your Government in the process of implementing General Assembly resolution 50/225.*

China

The reform of government organizations has already played an important role in promoting China's economic restructuring, opening-up campaign and modernization drive. Salient features of the administrative reform are summarized below.

(a) **Close integration with economic restructuring**. In the first instance, the organizational reform and economic restructuring have been closely interrelated in terms of their objectives. The goal of economic restructuring in China is to establish a system of socialist market economy, while the organizational reform has been launched to create a system of administrative management meeting the needs of the socialist market economy. Secondly, the pace of the administrative reform has been synchronized with the process of economic restructuring. The priorities of the organizational reform have always been determined by the specific tasks of economic restructuring. Owing to China's historic background of a centrally planned economic system and a high degree of concentration of powers, the carrying out of organizational reform along with economic restructuring will enable the two processes to complement each other and produce good results;

(b) **Interrelationship of reform priorities**. The transformation of government functions is not only an urgent requirement of economic restructuring, but also a precondition for the structural readjustment and streamlining of government agencies. Unless the functions are modified, it will be difficult to promote an in-depth economic restructuring or readjust and streamline the government structures on a lasting basis. Economic management is the key area of transformation. On the one hand, efforts have been made to streamline the central government and delegate powers to the lower-level authorities, in order to increase the vitality of enterprises and sharpen their edges for market competition, as well as to bring into full play the role of markets in the disposition of resources. On the other hand, the management mechanisms adopted by government structures have been reformed to strengthen government ability of macroeconomic regulation and control and market supervision so as to create a favourable external environment for the development of enterprises and guarantee the sustained, coordinated and healthy development of the national economy;

(c) **Gradual advancement of the reform process**. Organizational reform is a long-term process, a complicated system-engineering project. When it is integrated with economic restructuring, full consideration should be given to its implications at various levels. It is impossible to solve all the problems within one reform. However, it is essential to integrate the long-term goals and short-term tasks of the reform process and to focus on the pressing problems in government agencies under current conditions so as to attain the objectives of the reform step by step. Under the Chinese system of public administration, the provincial, city, county and township governments are administered by the State Council, which provides unified leadership in the management of political, economic, social and cultural affairs at various levels. As a result, the organizational pattern of the central government and its change will exert a great impact upon local governments. In the course of the organizational reform, the central government has taken the lead, followed by provincial governments and by those of smaller size. This sequence is conducive to the dovetailing of reform measures and reducing the risk of conflicts, as well as sharing of experiences with governments at lower levels and setting of examples for them, thus promoting the smooth implementation of the reform;

(d) **Providing of policy guidance and meeting local conditions**. China is a country with multiple nationalities, unbalanced regional economies and large local differences in the development of markets and distribution of resources. Its eastern part is more developed economically, but relatively deficient in resources. Conversely, its western part is comparatively underdeveloped, but rich in resources and development potential. Under the circumstances, it is unwise to require all localities to carry out reforms according to a single model. Instead, local governments have been allowed to exercise a certain degree of flexibility. Under the guidance of the central Government, they have been given independent decision-making powers to launch reforms according to their respective local conditions and to make adjustments through experience. At the same time, they have not been allowed to act wilfully or go completely their own way. When it comes to major policy matters and principles, they must meet the requirements of the central Government so as to guarantee the coherent nature of the reform process;

(e) **Applying best foreign practices to the unique situation of China**. China is a large developing country with a vast territory and a large population, with agriculture taking up a fairly big proportion of the national economy. Against the historic background of many years of planned economy in China, establishing a socialist market economic system and reforming government institutions according to the requirements of economic restructuring is a trail-blazing and creative cause, without any readily available model to follow. For this reason, China's own efforts, based on its current situation and priorities, are the key to the success of the reform. No reform, however, can be carried out successfully in a closed-door manner. China has therefore attached great importance to the experience of other countries in establishing and reforming their administrative systems and to the effective practices of economic management in developed market economies. Particular attention was paid to the reform strategies concerning the relationship between governments and enterprises, establishment of government systems for macroeconomic regulation and control and rational division of power between the central Government and local governments so that both fall in line with international practices and suit the realities of China;

(f) **Balancing administrative reform and social stability**. The Chinese Government has always adhered to the principle of being both active and balanced in the organizational reform process, through unified arrangements for the carrying out of reform measures, promotion of social and economic development and maintenance of social stability. Persistent efforts have been made to advance the reform and full consideration has been given to the sustainability of various sectors. On the one hand, attention has been paid to strengthening leadership in the reform of government organizations by setting up special groups to take charge of the reform at all levels and to seek timely solution of problems arising from the reform process. On the other hand, earnest efforts have been made to provide for re-employment of staff dismissed from government service and work out supplementary policies to overcome their practical difficulties. In addition, some major measures that might have a direct bearing on the interests of individuals have been first tested on a trial basis and, following successful experience have been gradually popularized, thus ensuring the reform advancement in an orderly and steady manner.

Czech Republic

The greatest achievement of the Czech Republic has been the transition from a centralized and authoritarian regime with a State-controlled economy and social life to a functioning market economy with all necessary democratic institutions in place. Another major achievement has been the creation of a three-tier public administration system and the establishment of regional administration. The first elections to regional councils took place in November 2000 and the regional authorities have been fully operational since the beginning of 2001. This change, combined with the transfer of competencies from the centre to regions and municipalities and from the State to local governments, will facilitate the participation of every citizen in the conduct of public affairs.

During the period from 2000 to 2001, the Czech Republic took part in the third round of OECD country reviews of regulatory reform. The resulting OECD comprehensive report is an impartial and valuable analysis of the Czech Republic's reform process. It indicates that the Czech Republic has in essence completed the primary tasks such as the abolition of central planning institutions and the building of new regulatory regimes, including instruments, policies and institutions, and the system of power-sharing and decentralization. The report also notes a substantial progress achieved in the area of public consultations with citizens, businesses, consumer groups and other interest groups.

Since 1990, human rights policies have been at the top of the Government's agenda. The Human Rights Council, an advisory body of the Government, was created to monitor respect for the human rights enshrined in the constitution, the Charter of Fundamental Rights and Freedoms and the international treaties ratified by the Czech Republic. Complementary functions have been assigned to the Government Council for National Minorities. In 2000, the Office of Ombudsman was created to further improve the situation in this area. The Act on Free Access to Information makes public institutions more responsive and accountable. The recently adopted Code of Conduct of Public Servants should also contribute to this goal.

One very sensitive issue is the change of fiscal policies. In 2001, the system of tax allocation will be proposed by the Government to ensure adequate funding for the regions, reflecting the basic needs assessment. Regional self-governments are also expected to make proposals, for the exercise of their right to introduce bills in the Parliament. At this stage, it is vital to conduct a dialogue and seek compromises through formal and informal channels.

Indonesia

Indonesia has already made significant progress in establishing the foundations for implementing effective reforms in institutional governance. Such reforms cover the area of human rights, as well as the establishment of mechanisms for good governance and good corporate governance. These include the following developments: (a) election laws and the process of electoral management were overhauled in 1999, leading to general elections; (b) new laws on regional autonomy have been enacted, in order to help decentralize administration and distribute funds to the district level; (c) the media/press industry was liberated from an arbitrary regulatory process; (d) new laws have been formulated to strengthen the accountability of public service, including the ratification of anti-corruption legislation; (e) laws to revise the relationship between the executive and judiciary branches of Government have been passed as part of the efforts to create a workable checks-and-balances mechanism; and (f) legislation to create an independent Central Bank has also been passed.

The Government is now in the process of signing the second country cooperation framework for the Republic of Indonesia, for which the United Nations Development Programme (UNDP) has committed itself to assist the Indonesian Government in establishing development programmes for the period from 2001 to 2004.

Morocco

The Government of Morocco has taken measures to strengthen ethical values in its administration and to improve the standards governing public life. These measures include: the decree on bidding for contracts, which introduces rules guaranteeing transparency, fairness and open competition in the awarding of public contracts; the Act prohibiting civil servants from receiving a salary and retirement pension concurrently (2001); draft legislation on declaration of assets (under revision); draft legislation prohibiting civil servants from receiving two salaries concurrently (in progress); a draft decree on illegal interest charges (in progress); adoption by the Government of the Good Governance Pact; adoption of good governance pacts at the sectoral level; adoption by the Moroccan General Confederation of Businesses of a declaration on business ethics; encouraging administrations to make a greater commitment to the use of new technologies; a proposal for the oversight of ministries (organization of inspections to monitor the operations of ministries, conduct studies, conduct central and external audits and offer consultations and expertise to management bodies); a proposal for the establishment of a centre for administrative information; and a proposal for the establishment of one-stop investment centres in each province.

Oman

After the Omani laws regulating the public service were enacted, efforts focused on comprehensive administrative development. The Ministry of the Civil Service also began to intensify its activities as an advisory body concerned with administrative reform and human resources development. The past five years have seen the implementation of many important projects, including the following:

(a) **Networking of government units**. This project allows information to flow between all units of the State administrative apparatus and provides a precise database that helps to simplify procedures and facilitate transactions relating to State employees (there are more than 86,000 personnel files), assists in monitoring operations and ensures the legal and operational integrity of data. This step is one in a series that has the objective of establishing an electronic government (e-government) and its implementation has begun;

(b) **Job classification and ranking project**. The project seeks to standardize functional titles by using a modern and sophisticated administrative lexicon. It endeavours to place employees, in accordance with educational qualifications and practical experience, in the right positions at the right salaries on the basis of rules that are fixed and fair, while establishing a precise description of duties and functional responsibilities;

(c) **Central recruitment system for government units**. This system affirms the principle of achieving fairness in the distribution of employment opportunities. The Ministry of the Civil Service was instructed to implement such a system with effect from 1997. Under it, vacancies and required qualifications are announced, and the Ministry, in coordination with the requesting agency, conducts the selection process in accordance with well-defined principles. The experiment has been successful, and employment opportunities in the State administrative establishment are now open only to the best and most qualified personnel.

Panama

Important achievements have been attained in the area of human and social development. Since 1990, constant efforts have been made to make the public aware that children and adolescents are not subject to adult rule, but have rights of their own, which should be taken into account by the State in the formulation of social policy and the adoption of laws serving the best interests of Panamanian children. The main laws relating to children and adolescents adopted over the past decade include: Law 15 of 6 November 1990, approving the United Nations Convention on the Rights of the Child; Law 3 of 17 May 1994, approving the Family Code, which entered into force in January 1995; Law 27 of 16 June 1995, which categorizes the offences of domestic violence and maltreatment of minors; Law 50 of 23 November 1995, which protects and promotes breast-feeding; Law 42 of 19 November 1997, establishing the Ministry of Youth, Women, Children and the Family; Law 8 of 15 June 2000, which approves International Labour Organization Convention No. 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour; and Law 40 of 26 August 1999, establishing a special regime of criminal responsibility for adolescents.

With reference to citizen involvement, Panamanian society has in recent years seen a significant number of advances and achievements in the social field, as well as laws having great collective benefit, which are the direct result of a new way of conducting dialogue and establishing priorities within civil society, government and other actors. A survey has identified the various situations that have led to the building of a network of common interests among various sectors, as follows:

(a) Augmenting the powers of municipalities as a collaborative and participatory strategy aimed at strengthening local leadership;

(b) Implementation of governmental strategies for decentralizing decision-making and programme execution with a view to strengthening the voice and involvement of civil society, local government networks and networks of non-governmental organizations concerned with issues relating to children and adolescents;

(c) Implementation of the National Plan on Women and Development, as an expression of the collective views of Panamanian women's organizations, in order to address issues relating to women in society;

(d) Establishment of the National Youth Council;

(e) Involvement of the Labour Foundation, as a joint body of employers and workers, in tackling issues relating to employment;

(f) Establishment of a number of initiatives managed, organized and executed on the basis of the needs expressed by civil society (Bambito Agreements, Vision 20/20 and Towards a National Anti-Poverty Agreement).

The Government, mindful of its commitment to resolve the pressing social problems that afflict a large segment of the Panamanian population, formulated the Social Development Policy and Strategy 2000-2004, in a framework consistent with its economic policy, wherein it clearly defines the social goals pursued and specifically mentions the sectoral and geographical priorities and the target groups, participation by society as a whole in the benefits of economic growth and social progress.

The strengthening of the initiative through the approval of municipal budgets, subject to consultation with the public concerning the goals, priorities and allocation of resources, including the strengthening of the civil initiative, is a crucial element for the formulation and implementation of policies and programmes designed to reach agreements with governmental and non-governmental organizations in a collaborative and decentralized way.

With regard to local governments, the Child- and Adolescent-Friendly Towns initiative, which promotes democratic participation in a new model of sustainable development, stands out. The proposal is based on promoting decentralization in decision-making as an effective response, leading to the implementation of administrative practices and innovative policies that involve the democratization of public administration management and the devolution of responsibilities to the community. It is currently being implemented on an experimental basis.

Since human and social capital is the main source of wealth and the most important factor in socio-economic development, the Government submitted its master plan entitled "Economic, Social and Financial Development Plan Based on Investment in Human Capital". Under the heading of social policy, social expenditure is recognized as an investment in human capital, mainly in the following priority areas: non-indigenous rural poverty; urban poverty; indigenous poverty; malnutrition; education; health, sanitation and social security; housing and urban development; families and vulnerable groups.

The Women and Development Action Plan, which is equivalent to the equality plans in other countries, has been established. The Pact on Equity and Equality for All Genders was signed in 1999. This is an instrument for the development of policies, programmes and actions for the promotion of women. Examples of legislation in this area are: Law 4 of 29 January 1999, which establishes equal opportunities for women and promotes gender equality; Law 54 of 7 December 1999, which amends the Social Security Fund voluntary insurance scheme to include persons caring full-time for their families; Law 6 of 4 May 2000, providing for the mandatory use of gender-neutral language, content and illustrations in school books and texts; Law 22 of 14 June 1997, which amends the Electoral Code and incorporates the electoral quota of 30 per cent female participation; Law 17 of 28 March 2001, approving the Optional Protocol to the United Nations Convention on the Elimination of All Forms of Discrimination against Women. In addition, women's offices were established in 50 per cent of public agencies in order to promote gender balance through the promotion and advancement of the status of women, strengthen the democratic process and expand social development.

Poland

The public administration reform has been a major element of the transition process in Poland, with local self-government introduced in 2,489 "*gminas*" (communes) in 1990. The creation of *gminas* after the collapse of communism was an important step forward, while the latest reform of 1998 has radically changed intergovernmental relations as well as the fiscal and territorial structure by decentralizing control over public services and public finances to two new levels of "*voivodships*" (regions). As a result, citizens gained more control over the issues affecting their communities. The State has decentralized responsibilities and financial capacities to 308 democratically elected self-governing bodies at the *powiat* level as well as to the authorities of 65 urban *gminas* which were granted *powiat* rights. The reforms have reduced the number of existing *voivodships* from 49 to 16. On 11 October 1998 elections to all administrative levels took place in accordance with the new Electoral Law.

The public administration reform has created the basis not only for building new self-governing structures at the local and regional levels, but also for strengthening the central government administration in *voivodships*, which were designed to relieve the central Government of the tasks that it used to administer under the former communist system. The central Government was freed of unnecessary responsibilities and its redefined tasks now include strategic issues, in both economic and political areas. As from 1 January 1999, the *voivodship* councils ("*Sejmiks*") have become responsible for the development and implementation of regional economic policies. The reforms have brought about a significant decentralization of both public authority and public finances. Moreover, the new system of public finance makes the budgets of all public administration entities more transparent and accountable to the electorate.

The new structure of administrative division is now in place, but more work is needed to develop local revenue capacity and complete the legal and administrative changes required to make the new structure fully operational. Moreover, the magnitude of these changes, having occurred in a short period of time, puts an increased strain on public administration, which does not have enough resources, either in human or financial terms, to adequately manage the introduction and implementation of the reforms.

Portugal

As regards the promotion of democracy and transparent and accountable governance and administration in all sectors of society, the administrative reforms under way have greatly contributed to the process of bringing closer to the people the mechanisms of representation and participation in the political life, as well as the adjustment of political parties to the new challenges of communication democracy. Strengthening of the democratic culture and reinforcing of representative mechanisms have led to a consistent programme on the use of new technologies in the service of democracy.

In addition, the reform of State and political institutions includes the following initiatives: a proposal to reform the system of elections to the Assembly of the Republic in order to bridge the gap between the elected officials and their electorate by introducing uninominal candidature constituencies, without prejudice to the principle of proportionality; the right granted to the Portuguese expatriates, under the 1997 constitutional revision, to vote in the presidential elections; a proposal to review the local government system, to strengthen the stability of the executive organs and personalize the voting process; a proposal to improve the political parties' financing system for the purpose of greater transparency and control; a draft law of public associations aiming at regulating the rights and accountability of public associations and their relations with the State; and a study on participative democracy by means of new information technologies.

As for the need to make public institutions more responsive to people's needs, the Portuguese authorities have been attentive to the public opinion and feedback from users of public services. Actions have been taken to improve the quality, timeliness and delivery of public services. Examples include: simplification of administrative procedures; installation of mobile public reception facilities during rush periods; creation of databases on administrative and legal information for the people; approval of a new Code of Administrative Procedures, which established the rights of citizens vis-à-vis administrative decisions and actions; provision of complaint books in public services; creation of the one-stop shops network ("*Loja do Cidadão*") to concentrate in one place a number of essential public services; establishment of centres for business formalities to simplify procedures related to business registration and operation; and set up of the Direct Public Service, which provides access to administrative documents through the Internet.

As regards the administrative and management reform, with emphasis on enhanced efficiency and productivity, accountability and responsiveness of the public institutions, Portugal has focused on the following priorities: reappraising the modes and culture of public management with a view to improving cost-effectiveness within the framework of public law and political accountability; increasing managerial flexibility; promoting administrative modernization; rationalizing and improving public management; and creating flexible mechanisms of human resources management.

Decentralization of public institutions and services is one of Portugal's medium-term goals, placing particular emphasis on the devolution and decentralization of services provided by the central Government. Apart from the reinforcement of the principle of subsidiarity, the administrative decentralization has the potential to serve as an agent of development and national cohesion. In this area, the initiatives under discussion are aimed at: establishing sound mechanisms for political coordination of the administrative decentralization strategy; assigning new functions to local authorities to represent the central Government (*Governos Civis*); and expanding the competencies of local administration (e.g., in the areas of development, health care, education, cultural and sports affairs, environment protection and quality of life). In light of the fact that strengthening local powers enhances the targeted administrative decentralization process, recent trends have shown consolidation of the decentralization of public policies at the subregional level, across metropolitan areas and associations of municipalities and the designation of private entities for the contracting of municipal services (e.g., garbage disposal and public parks maintenance). The transfer of administrative powers and competencies is supported by the necessary human and financial resources.

Tunisia

Civil society is closely associated with the administrative reform and modernization effort. The most recent amendment to the decree establishing the powers, composition and functions of the Supreme Council on the Civil Service and Administrative Reform, a consultative body, was provided in order to broaden its composition so as to involve certain national professional organizations and the consumer protection organization. Moreover, the setting up of the project teams responsible for considering various administrative issues and proposing suitable reforms reflects the participation of civil society; these teams are composed not only of officials, but also include legislators, journalists, lawyers, academics, and private investors.

The Government's policy is to promote and encourage associations and non-governmental organizations (NGOs). Tunisia now has over 7,500 civic associations carrying out scientific, social and educational, cultural or artistic activities, thanks to a reform of the law on associations, which established the freedom for their formation. A law on NGOs of 26 July 1993 was promulgated in order to grant them facilities, privileges and exemptions, regardless of whether an organization has observer status with the United Nations. For instance, NGOs can receive gifts, bequests and subsidies, recruit staff and take action in the courts. They also receive tax and customs exemptions for all products, equipment, materials and vehicles that they purchase.

NGOs in Tunisia can operate in several areas and provide scientific, educational and pedagogical services or carry out social, charitable and development activities. Tunisian legislation also grants to the officers of some NGOs the same privileges and immunities as United Nations personnel. A centre for information, training, study and documentation on associations was established to provide leadership for these organizations.

The general status of the civil service and the criminal code constitute the basis in law of official ethics. These two legislative texts were amended in 1997 and 1998, respectively, to prevent and punish breaches of the duties and obligations of public officials. In accordance with public opinion, as reflected in the mass media, the civil service enjoys a good reputation for honesty, transparency and neutrality.

In the organization of the civil service, monitoring is carried out by several authorities. A system is in place, consisting of monitoring prior to, concurrent with and following action. Moreover, the constitution gives the State Audit Office the power to monitor financial and administrative management and charges the administrative tribunal with monitoring the legality of its administrative acts.

In order to guarantee the scrupulous management of public entities and enhance the efficiency of the current monitoring system and to lay the groundwork for an orderly observance of the management rules and regulations in force, the Government has taken two principal steps, namely:

(a) Establishing a high administrative and financial auditing committee directly under the President of the Republic, in order to ensure better planning and coordination of interventions by the monitoring bodies and an effective follow-up of the conclusions and observations contained in their reports on the management and functioning of public entities;

(b) Establishing systematic follow-up to the conclusions contained in the annual report of the State Audit Office on the management of government services and public enterprises and to the results of the recommendations of that higher administrative and financial monitoring body.

These reform measures helped to reinforce the principles of accountability, transparency and ethics in the management of public services.

United Kingdom of Great Britain and Northern Ireland

The Modernizing Government programme covers all the key areas referred to in General Assembly resolution 50/225. The Modernizing Government White Paper (March 1999) described the principles underpinning the Government's approach to public sector reform. Ministers made it clear that this was a change management programme for the long term and that they saw its implementation as a priority. In July 1999, the Government published an action plan, setting out some initial milestones for delivering the commitments in the programme. Progress made to date has been reported on the Cabinet Office web site at: *http://www.cabinet-office.gov.uk/moderngov/action*. Some of the impediments encountered in implementing the programme are highlighted in the "peer review" document on this web site. *Citizens First*, the report for 2000 on Modernising Government, was published in September 2000 (*http://www.cabinet-office.gov.uk/moderngov/anreport*). The programme was based on five commitments to modernization, which are set out below, together with some examples of how the Government is delivering them.

Commitment 1. Policy-making: we will be forward looking in developing policies to deliver results that matter, not simply reacting to short-term pressures.

The Government has:

(a) Established the Centre for Management and Policy Studies, the Performance and Innovation Unit, the Social Exclusion Unit and the Women's Unit to increase the capacity at the centre for better policy making; and delivered policies such as the New Commitment to Neighbourhood Renewal, based on the work of 18 policy action teams coordinated by the Social Exclusion Unit; and Building on Partnership, flowing from the Better Government for Older People pilots;

(b) Put in place, through the 23 public service agreements, including 5 cross-cutting agreements (covering Sure Start, Welfare to Work, the Criminal Justice System, Action Against Illegal Drugs and Local Government), a coherent framework of aims, objectives, resource allocation and accountability, linking policy outcomes to delivery;

(c) Through the Centre for Management and Policy Studies, run joint courses for ministers and senior civil servants focused on specifics such as risk management, communicating policy and joined-up delivery; brought about the attendance of 70 ministers at approximately 200 of these events; and introduced a programme of departmental peer review to enable Departments, including, Culture, Media and Sport, Inland Revenue, Education and Employment, the Lord Chancellor's Department and the Cabinet Office, to learn from constructive, critical analysis of their business.

Commitment 2. Responsive public services: we will deliver public services to meet the needs of citizens, not the convenience of service providers.

The Government has:

(a) Used the People's Panel to research services for which there was greatest public demand for longer opening hours: non-emergency services in National Health Service hospitals, general practitioners' surgeries and social services, the Passport Agency and local authorities. A report on extended service hours will be published shortly;

(b) Launched a Consumer Focus for Public Services, under which Departments have appointed "consumer champions" to ensure that customers' views are translated into practical improvements;

(c) Used the Invest to Save Budget to promote innovation and closer cooperation between organizations in the public sector, with £230 million committed, rising to £380 million by 2003-2004, for schemes like the INFOSHOP project, which piloted the use of information technology to provide businesses with rapid and professional regulatory advice, now being implemented by the Small Business Service; the Community Legal Web Site Project, which is opening up access to justice and legal advice in ways people can easily relate to; Worcestershire County Council's Youth Communication Project to maximize two-way communication and involvement with 14 to 25-year olds; and new projects announced on 6 March 2001, such as: Police Direct, a project to explore services police and criminal justice organizations can put online; Skill Force, a project bringing together the Ministry of Defence with the Education and Employment Department and the Home Office and others to use retired military instructors in pilot schemes to train disaffected 15 to 16-year olds, aiming to reduce truancy and exclusion, cut juvenile crime and raise educational attainment; and 21st Century Citizen, a project to support the inclusion of citizenship as a national curriculum subject by pooling the resources of the Office of National Statistics, the Public Record Office and the British Library to create an online resource for schools;

(d) Introduced a Code of Practice on Written Consultation, which applies to all national public consultation documents issued by Government Departments from 1 January 2001. It aims to increase involvement and minimize the burden of consultation by giving a proper time, a minimum of 12 weeks, to respond. There is now a new online register of consultations. All this will give people a bigger say in Government;

(e) Developed a change of address notification service by adding Government Departments to the services of three commercial change-of-address service providers.

Commitment 3. Quality public services: we will deliver efficient, high-quality public services and will not tolerate mediocrity.

The Government has:

(a) Reduced the burden of paperwork on police time by 187,000 hours per year and 4,500,000 hours per year across the whole school system, through the work of the Cabinet Office Public Sector Team;

(b) Continued to recognize and encourage excellence in public service though the Charter Mark. Over 2,000 organizations currently hold the award;

(c) Introduced beacon schemes to recognize and spread good practice in both local and central government, promoting visits to the Beacon organizations so that others see the improvements in action and can adapt them to their own work;

(d) Launched the Public Sector Benchmarking Service, through the Customs and Excise;

(e) Developed the Good Practice Database on the Cabinet Office web site. Public servants can access over 800 good practice examples of improving service delivery, showing what others have successfully done in areas like partnership working, complaints handling, involving users, improving accessibility, making good use of information technology and working better with staff;

(f) Launched the Learning Labs initiative to help change the culture in public services by encouraging staff to put forward ideas for improvement and to turn ideas into reality. There are currently six pilot labs in operation, including one in Torbay, where the Benefits Agency and the local Social Services have worked together and have significantly increased take-up of attendance allowance, and the Prisoners Passport Lab in the North-east. Prisoners are being successfully resettled into the community with coordinated help to get access to the public services they need upon release.

Commitment 4. Information age government: we will use new technology to meet the needs of citizens and business, and not trail behind technological developments.

The Government has:

(a) Made available online services, including: National Health Service direct online; patent and trademark database; expert sales leads tailored to individual businesses; income tax self-assessment; foreign office advice for travellers;

(b) Published in April 2000 a strategic framework requiring departments to produce e-business strategies towards the target of making government services available online by 2005;

(c) Announced the United Kingdom Online Initiative in September 2000, with 2005 set as the target date for universal access to the Internet for British citizens. The United Kingdom is to be the best place in the world for e-commerce and all government services are to be online in a way that is both attractive and useful to citizens and business;

(d) Launched the United Kingdom Online portal (*http://www.ukonline.gov.uk*). This provides a single, round-the-clock entry point to all online government information and services. Information is focused around "life episodes" — major events such as having a baby and learning to drive — without the user having to understand the workings of government and departmental structures. The portal will enable citizens to engage in secure and authenticated online transactions with the Government through the gateway;

(e) Helped to modernize laws for the information age and to promote e-business (e.g., the Electronic Communications Act and steps towards electronic conveyancing).

Commitment 5. Valuing public service: we will value public service, not denigrate it.

The Government has:

(a) Launched an ambitious programme for civil service reform, led by Sir Richard Wilson. The first annual report, published in December 2000, showed good progress in, inter alia, increasing the number of senior management posts through the civil service being open to competition, increasing the proportions of posts for women, staff from ethnic minority backgrounds and those with a disability in the

Senior Civil Service and moving further forward on its programme, Investors in People;

(b) Established the Public Sector Employment Forum to help reinforce modernization programmes across the public sector.

In line with the White Paper, the Cabinet Office arranged for an external peer review of its modernization programme. A copy of the team's report was sent to the Select Committee and published on the web site in December 2000. Work currently in hand to advance the programme includes: the Centre for Management and Policy Studies' first three studies on professional policy-making and its analysis of the examples collected during its mapping of new and innovative departmental policy-making; imminent publication of a Citizens First report on extended service hours; bringing together of departmental consumer focus strategies and further development of the approach; the Cabinet Office's Public Sector Team report with proposals to reduce the paperwork of general practitioners; creation of a network of United Kingdom online centres in local communities where people will have access to new technologies and be able to develop skills to use them, with a target of around 6,000 by 2002, and all 4,300 public libraries to be connected to the Internet by the end of 2002; and more services to become available online, including submitting companies' annual returns, applying for Employment Service jobs and direct booking of hospital appointments with general practitioners. The Government is clear that the purpose of modernization is delivery: making a positive difference in the quality and effectiveness of public services. This is a vital programme to which the Government is committed.

D. Question 4. *Specify how the United Nations activities and programmes in public administration and development can better assist your Government to enhance the effectiveness of its public administration and improve its responsiveness to meet the basic needs of all, as well as to achieve sustainable development in your country.*

Czech Republic

In this increasingly globalized world, different countries are often faced with very similar problems. In developing the public administration reform programme, other relevant policies or legislation, the Czech Republic always takes into account the experience of other countries, as well as the feedback from international organizations such as the European Union, OECD or the Council of Europe. The data collected and published by the United Nations and its information exchange mechanisms are a very valuable source for policy-makers worldwide.

Indonesia

The role of the United Nations, especially the activities of its development agencies, has indeed made a significant impact on the development of Indonesia. For years, Indonesia has benefited from the United Nations assistance in many aspects of development. In highlighting just a few of them, mention should be made of the success of Indonesia in the field of family planning and the major improvement in the area of health and life expectancy of women and children, as well as the substantial improvement in preventing many diseases and in the programme of poverty reduction.

Indonesia places great confidence in these programmes and believes that they have promoted development for the benefit of millions of Indonesians ever since the country joined the United Nations. However, there should be a new approach to the way in which the United Nations provides assistance to Indonesia. Although many would argue that projects are still needed for the country's development, the Indonesian Government feels that policy-driven activities will be more effective than projects. This is based on the past experience the country has had in implementing United Nations assistance. In numerous cases, there has been "ineffectiveness" in the implementation of projects, for instance in the terms of budget-leaking, corruption and lack of follow-up activities.

It is high time to shift from the paradigm of projects to a more policy-driven one. In this way, the stakeholders will seek to establish policies that are urgently needed by the people and that could be implemented realistically. As a result, ineffectiveness could be avoided. Such policies must consider people-centred activities, in which people participate in programmes they have created. Embracing as many stakeholders as possible in a particular activity would be a valuable contribution to the quality of the policy.

Overall, in order to enhance the effectiveness of public administration and to improve its responsiveness in meeting the basic needs of all, as well as to achieve sustainable development in Indonesia, the Government believes that the United Nations programmes should be directed at supporting either at the policy-making or implementation levels, the following Indonesian priorities: (a) national efforts in the transition and recovery process; (b) governance reform, including the strengthening of national institutions, local governance, electoral reform and the implementation of regional autonomy; (c) community recovery programmes; (d) income-generating activities in the post-conflict period; (e) strengthening of civil society; (f) capacity-building for disaster management; (g) rehabilitation and recovery of conflict-affected areas; and (h) environment security.

Morocco

In addition to organizing certain regional or international conferences, which are indeed necessary for the exchange of expertise and information, the United Nations, through the Department of Economic and Social Affairs, should make greater efforts to establish closer links with countries with a view to: (a) providing advisory services and technical assistance to targeted projects and in accordance with the needs expressed by the country concerned; and (b) providing information useful to each country on proven and successful administrative experiences.

Oman

Oman's cooperation with the United Nations is ongoing in all fields. In the area of administrative reform, Oman, as a member of the executive board of the Arab Administrative Development Organization, has supported the project for an electronic network for public administration and finance, in cooperation with the Department of Economic and Social Affairs of the United Nations Secretariat, the United Nations Development Programme and the United Nations Online Network on Public Administration and Finance (UNPAN) in an endeavour to enhance cooperation and avoid duplication of effort. Oman also participated in the fifteenth meeting of the Group of Experts on the United Nations Programme in Public

Administration and Finance, which adopted the proposals aimed at strengthening international cooperation in the fields of administration and human resources development by means of a draft United Nations charter for the public service, the proclamation of a United Nations public service day and the award of an international prize for excellence in administration. These proposals will be before the Economic and Social Council at its forthcoming session.

Poland

Poland was one of the earliest beneficiaries of United Nations technical cooperation, which began in the early 1950s under the Expanded Programme of Technical Assistance, whose goals were pursued by a Special Fund until the creation of UNDP in 1965. Poland has benefited from a series of country programmes, followed by the opening of a UNDP office in Warsaw in July 1990. The first country cooperation framework for Poland was approved by the Executive Board of UNDP at its second regular session of 1997 for a period of two years, which was extended until 31 December 2000 and later until 2003. One of the most important components of the programme is the Umbrella Project consisting of: advisory services in the areas of implementation of quality management systems in small- and medium-sized enterprises; assistance to local authorities in the preparation of sustainable development plans according to the Agenda 21 recommendations; and implementation of quality management systems in government. The Umbrella Project is about to embark on a successor project of providing quality management services to central government authorities, expanding the sustainable development planning process to larger territorial government entities and offering similar assistance to communities in Lithuania and Ukraine. The Umbrella Project, as well as the whole UNDP programme for Poland, has been very highly evaluated by the Government as well as non-governmental institutions and foreign donors.

Portugal

Portugal is not a beneficiary of the activities carried out within the United Nations programme in public administration and finance. In cooperation with the United Nations, Portugal provides technical assistance to enhance the effectiveness of public administration as well as to achieve sustainable development in developing countries. Such cooperation projects have been mainly addressed to the African countries where Portuguese is an official language.

Tunisia

In order to meet the basic needs of everyone, to achieve sustainable development and to help to enhance the effectiveness of various public administrations, in this case the Tunisian administration, it is suggested that the experience of different Member States in the area of administrative reform, particularly those at a similar level of development, be made available. The assistance of experts in this area would also be greatly appreciated. Moreover, it is suggested that proposals be made to finance some programmes initiated and carried out at the national level, in particular: the programme on adapting human resources to the needs of administration, aimed at setting up a system of forward-looking staff management; and the programme to promote quality in the provision of public services, in accordance with ISO 9000 international standards.

United Kingdom of Great Britain and Northern Ireland

There are two main ways in which the United Nations can assist the United Kingdom. Firstly, identify and promote principles of good public administration and sustainable development as it has done in resolution 50/225. Secondly, promote and disseminate international best practice and learning in these areas to accelerate the rate of improvement in these spheres internationally.